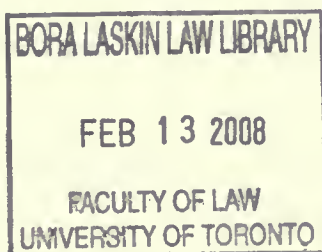




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**Publications under the Regulations Act
Publications en vertu de la Loi sur les règlements**

2006—01—21

ONTARIO REGULATION 1/06
made under the
ENVIRONMENTAL PROTECTION ACT

Made: January 3, 2006
Filed: January 6, 2006
Published on e-Laws: January 10, 2006
Printed in *The Ontario Gazette*: January 21, 2006

Revoking O. Reg. 24/01
(Forms — Section 197 of the Act)

Note: Ontario Regulation 24/01 has not previously been amended.

1. Ontario Regulation 24/01 is revoked.

Made by:

LAUREL C. BROTEN
Minister of the Environment

Date made: January 3, 2006.

3/06

ONTARIO REGULATION 2/06
made under the
ONTARIO WATER RESOURCES ACT

Made: January 3, 2006
Filed: January 6, 2006
Published on e-Laws: January 10, 2006
Printed in *The Ontario Gazette*: January 21, 2006

Revoking O. Reg. 25/01
(Forms — Section 103 of the Act)

Note: Ontario Regulation 25/01 has not previously been amended.

1. Ontario Regulation 25/01 is revoked.

Made by:

LAUREL C. BROTEN
Minister of the Environment

Date made: January 3, 2006.

3/06

NOTE: The Table of Regulations – Legislative History Overview and other tables related to regulations can be found at the e-Laws website (www.e-Laws.gov.on.ca) under Tables. Consolidated regulations may also be found at that site by clicking on Statutes and associated Regulations under Consolidated Law.

REMARQUE : On trouve le Sommaire de l'historique législatif des règlements et d'autres tables liées aux règlements sur le site Web Lois-en-ligne (www.lois-en-ligne.gouv.on.ca) en cliquant sur «Tables». On y trouve également les règlements codifiés en cliquant sur le lien Lois et règlements d'application sous la rubrique «Textes législatifs codifiés».

Publications under the Regulations Act Publications en vertu de la Loi sur les règlements

2006—01—28

ONTARIO REGULATION 3/06 made under the LAND REGISTRATION REFORM ACT

Made: February 9, 2005
Filed: January 9, 2006
Published on e-Laws: January 10, 2006
Printed in *The Ontario Gazette*: January 28, 2006

Amending O. Reg. 16/99
(Automated System)

Note: Ontario Regulation 16/99 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. The Table to subsection 3 (1) of Ontario Regulation 16/99 is amended by adding the following item:

| Column 1 | Column 2 |
|-----------------|-----------------|
| Oxford (No. 41) | January 9, 2006 |

Made by:

JIM WATSON
Minister of Consumer and Business Services

Date made: February 9, 2005.

04/06

ONTARIO REGULATION 4/06 made under the ONTARIO DRUG BENEFIT ACT

Made: January 9, 2006
Filed: January 10, 2006
Published on e-Laws: January 11, 2006
Printed in *The Ontario Gazette*: January 28, 2006

Amending O. Reg. 201/96
(General)

Note: Ontario Regulation 201/96 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Section 7.2 of Ontario Regulation 201/96 is amended by adding the following paragraph:

4. Amendments dated December 30, 2005.
2. This Regulation comes into force on the later of,
 - (a) December 30, 2005; and
 - (b) the day that is 10 days after the day it is filed, where the following are not included in calculating the 10 days:
 - (i) the day of filing, and
 - (ii) Saturdays and Sundays and other holidays within the meaning of the *Interpretation Act*.

Made by:

GEORGE SMITHERMAN
Minister of Health and Long-Term Care

Date made: January 9, 2006.

04/06

ONTARIO REGULATION 5/06
made under the
DRUG INTERCHANGEABILITY AND DISPENSING FEE ACT

Made: January 9, 2006
Filed: January 10, 2006
Published on e-Laws: January 11, 2006
Printed in *The Ontario Gazette*: January 28, 2006

Amending Reg. 935 of R.R.O. 1990
(General)

Note: Regulation 935 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Section 3 of Regulation 935 of the Revised Regulations of Ontario, 1990 is amended by adding the following paragraph:

4. Amendments dated December 30, 2005.
2. This Regulation comes into force on the later of,
 - (a) December 30, 2005; and
 - (b) the day that is 10 days after the day it is filed, where the following are not included in calculating the 10 days:
 - (i) the day of filing, and
 - (ii) Saturdays and Sundays and other holidays within the meaning of the *Interpretation Act*.

GEORGE SMITHERMAN
Minister of Health and Long-Term Care

Date made: January 9, 2006.

04/06

NOTE: The Table of Regulations – Legislative History Overview and other tables related to regulations can be found at the e-Laws website (www.e-Laws.gov.on.ca) under Tables. Consolidated regulations may also be found at that site by clicking on Statutes and associated Regulations under Consolidated Law.

REMARQUE : On trouve le Sommaire de l'historique législatif des règlements et d'autres tables liées aux règlements sur le site Web Lois-en-ligne (www.lois-en-ligne.gouv.on.ca) en cliquant sur «Tables». On y trouve également les règlements codifiés en cliquant sur le lien Lois et règlements d'application sous la rubrique «Textes législatifs codifiés».

Publications under the Regulations Act Publications en vertu de la Loi sur les règlements

— 2006—02—04

ONTARIO REGULATION 6/06 made under the FOOD SAFETY AND QUALITY ACT, 2001

Made: January 17, 2006
Filed: January 19, 2006
Published on e-Laws: January 20, 2006
Printed in *The Ontario Gazette*: February 4, 2006

Amending O. Reg. 223/05
(Fees)

Note: Ontario Regulation 223/05 has not previously been amended.

1. (1) Clause 2 (1) (a) of Ontario Regulation 223/05 is amended by striking out “\$48” and substituting “\$20”.
- (2) Clause 2 (1) (a) of the Regulation is amended by striking out “\$20” and substituting “\$48”.
- (3) Clause 2 (1) (b) of the Regulation is amended by striking out “\$65” and substituting “\$25”.
- (4) Clause 2 (1) (b) of the Regulation is amended by striking out “\$25” and substituting “\$65”.
2. (1) The Regulation is amended by adding the following section:

Fees for certain supplementary inspections not payable

2.1 (1) This section applies in respect of a slaughter plant for which a director has established an inspection schedule under section 138.1 of the meat regulation that provides for inspectors to be performing inspections at the plant for 37.5 hours on five days in a seven-day period.

(2) If a director assigns inspectors to perform supplementary inspections under section 138.2 of the meat regulation at a plant described in subsection (1) on a day within the seven-day period that is not one of the five days on which inspectors are normally assigned to perform inspections under the inspection schedule, the fees that would otherwise be payable under subsection 2 (1) in respect of the first 7.25 hours of supplementary inspections performed on that day are waived unless that day is a holiday.

- (2) Section 2.1 of the Regulation is revoked.
3. (1) Section 3 of the Regulation is amended by striking out “\$80” and substituting “\$40”.
- (2) Section 3 of the Regulation is amended by striking out “\$40” and substituting “\$80”.
4. (1) Section 5 of the Regulation is revoked and the following substituted:

Application for licence

5. (1) The fee for an application for the issuance or renewal of a licence under section 6 of the meat regulation is,
 - (a) \$52.50, in respect of the 2005-2006 licensing year;
 - (b) \$100, in respect of the 2006-2007 licensing year; and
 - (c) \$300, in respect of subsequent licensing years.

(2) Despite subsection (1), in the case of a freestanding meat plant that is first subject to the meat regulation beginning on October 1st of a year by virtue of clause 2 (1) (a), (b) or (c) of that regulation, the fee for an application for the issuance of a licence is as follows:

1. In the case of a plant that is first subject to the meat regulation on October 1, 2006, the fee is \$50 in respect of the 2006-2007 licensing year.
2. In the case of a plant that is first subject to the meat regulation on October 1, 2007, the fee is \$150 in respect of the 2007-2008 licensing year.
3. In the case of a plant that is first subject to the meat regulation on October 1, 2008, the fee is \$150 in respect of the 2008-2009 licensing year.

(2) Subsection 5 (2) of the Regulation is revoked.

5. (1) Subject to subsections (2) and (3), this Regulation comes into force on the day it is filed.

(2) Subsections 1 (2) and (4) and subsections 2 (2) and 3 (2) come into force on January 1, 2009.

(3) Subsection 4 (2) comes into force on April 1, 2009.

Made by:

LEONA DOMBROWSKY
Minister of Agriculture, Food and Rural Affairs

Date made: January 17, 2006.

05/06

ONTARIO REGULATION 7/06
made under the
FARM PRODUCTS MARKETING ACT

Made: January 12, 2006
Filed: January 20, 2006
Published on e-Laws: January 23, 2006
Printed in *The Ontario Gazette*: February 4, 2006

Amending Reg. 402 of R.R.O. 1990
(Chickens — Marketing)

Note: Regulation 402 has previously been amended. Those amendments are listed in the [Table of Regulations – Legislative History Overview](#) which can be found at www.e-Laws.gov.on.ca.

1. Regulation 402 of the Revised Regulations of Ontario, 1990 is amended by adding the following section:

7.1 The Commission vests in the local board the power to make regulations,

- (a) providing for the seizure and detention of chickens or of any class, variety, grade or size of chickens by a person appointed under clause 3 (1) (g) of the Act where the person believes on reasonable grounds an offence against the Act or the regulations has been committed in respect of the chickens;
- (b) providing for the release from detention of chickens where the local board is satisfied that the owner of the chickens complies with the Act and the regulations respecting the chickens;
- (c) providing for the disposal of chickens that have been seized and detained and providing for the administration and disposition of any money derived from any such disposal; and
- (d) prescribing the manner in which chickens shall be seized, detained, released and disposed of.

pris en application de la

LOI SUR LA COMMERCIALISATION DES PRODUITS AGRICOLES

pris le 12 janvier 2006
déposé le 20 janvier 2006
publié sur le site Lois-en-ligne le 23 janvier 2006
imprimé dans la *Gazette de l'Ontario* le 4 février 2006

modifiant le Règl. 402 des R.R.O. de 1990
(Poulets — commercialisation)

Remarque : Le Règlement 402 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des règlements qui se trouve sur le site www.lois-en-ligne.gouv.on.ca.

1. Le Règlement 402 des Règlements refondus de l'Ontario de 1990 est modifié par adjonction de l'article suivant :

7.1 La Commission confère à la commission locale les pouvoirs de réglementation suivants :

- a) prévoir la saisie et la détention de poulets ou de toute catégorie, variété, qualité ou grosseur de ceux-ci par une personne nommée en vertu de l'alinéa 3 (1) g) de la Loi qui a des motifs raisonnables de croire qu'une infraction a été commise contre la Loi ou les règlements relativement à ceux-ci;
- b) prévoir la libération des poulets qui ont été détenus lorsque la commission locale est convaincue que leur propriétaire respecte la Loi et les règlements relatifs à ceux-ci;
- c) prévoir la disposition des poulets qui ont été saisis et détenus, et prévoir l'administration et l'utilisation des sommes tirées de cette disposition;
- d) prescrire la procédure de saisie, de détention, de libération et de disposition des poulets.

Made by:
Pris par :

ONTARIO FARM PRODUCTS MARKETING COMMISSION:
COMMISSION DE COMMERCIALISATION DES PRODUITS AGRICOLES DE L'ONTARIO :

DAVE HOPE
Chair
Président

GLORIA MARCO BORYS
Secretary
Secrétaire

Date made: January 12, 2006.
Pris le : 12 janvier 2006.

05/06

NOTE: The Table of Regulations – Legislative History Overview and other tables related to regulations can be found at the e-Laws website (www.e-laws.gov.on.ca) under Tables. Consolidated regulations may also be found at that site by clicking on Statutes and associated Regulations under Consolidated Law.

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2006—02—11

ONTARIO REGULATION 8/06

made under the

ONTARIO HERITAGE ACT

Made: December 7, 2005

Filed: January 25, 2006

Published on e-Laws: January 26, 2006

Printed in *The Ontario Gazette*: February 11, 2006

LICENCES UNDER PART VI OF THE ACT — EXCLUDING MARINE ARCHAEOLOGICAL SITES

Interpretation

1. (1) In this Regulation,

“archaeological fieldwork” means archaeological fieldwork as defined in section 1 of Ontario Regulation 170/04 (Definitions) made under the Act; (“travaux archéologiques sur le terrain”)

“archaeological site” means an archaeological site as defined in section 1 of Ontario Regulation 170/04 (Definitions) made under the Act; (“site archéologique”)

“artifact” means an artifact as defined in section 1 of Ontario Regulation 170/04 (Definitions) made under the Act; (“artefact”)

“consultant archaeologist” means an archaeologist who enters into an agreement with a client to carry out or supervise archaeological fieldwork on behalf of the client, produce reports for or on behalf of the client and provide technical advice to the client; (“archéologue-conseil”)

“field director” means an archaeologist who supervises archaeological fieldwork, and makes day-to-day decisions relating to archaeological fieldwork, under the supervision of a person holding a professional licence; (“directeur des fouilles”)

“licence” means a licence under the Act, except in the case of a reference to a licence or similar authorization from a jurisdiction other than Ontario; (“licence”)

“marine archaeological site” means a marine archaeological site as defined in section 1 of Ontario Regulation 170/04 (Definitions) made under the Act. (“site archéologique marin”)

(2) An application by an individual for a licence is an application for a new licence, and the licence issued pursuant to that application is a new licence, if,

- (a) the individual has never held a licence;
- (b) the individual is a licensee applying for a licence of a different class than that currently held by him or her;
- (c) the individual was, but is not currently, a licensee and is applying for a licence of a different class than the licence most recently held by him or her;
- (d) the individual was, but is not currently, a licensee and is applying for a licence of the same class as the licence most recently held by him or her, more than five years after that licence expired;
- (e) the individual was, but is not currently, a licensee and is applying for a licence of the same class as the licence most recently held by him or her, more than five years after that licence was cancelled by the Minister at the individual's request; or
- (f) the individual was, but is not currently, a licensee and is applying for a licence of the same class as the licence most recently held by him or her, which the Minister revoked, or refused to renew, under section 49 of the Act.

(3) An application by an individual for a licence is an application for renewal of a licence, and the licence issued pursuant to that application is a renewed licence, if,

- (a) the individual is a licensee applying, before the expiry of his or her current licence, for a licence of the same class;
- (b) the individual was, but is not currently, a licensee and is applying for a licence of the same class as the licence most recently held by him or her, within five years after that licence expired; or
- (c) the individual was, but is not currently, a licensee and is applying for a licence of the same class as the licence most recently held by him or her, within five years after that licence was cancelled by the Minister at the individual's request.

Classes of licence

2. The following classes of licence are prescribed:

- 1. Professional licence.
- 2. Applied research licence.
- 3. Avocational licence.

No application to marine sites

3. None of the classes of licence prescribed by this Regulation authorizes the carrying out of an activity on a marine archaeological site.

Only one licence to be held

4. (1) No person shall hold, at any one time, more than one of the classes of licence prescribed by this Regulation.

(2) When submitting an application to the Minister for a licence of a different class, a licensee shall also submit to the Minister a request for cancellation of the licence that the licensee already holds and shall submit the request in such form and manner as the Minister may require.

False or misleading information

5. (1) An applicant shall be deemed not to have satisfied the requirements for the issuance of a class of licence prescribed by this Regulation, if the applicant knowingly made a false or misleading statement or representation in the application.

(2) Subsection (1) does not apply if the false or misleading statement or representation was made before January 25, 2006.

Scope of professional licence

6. Subject to any terms or conditions that may be contained in the licence, a professional licence authorizes the licensee to,

- (a) monitor, survey, explore, assess and excavate archaeological sites;
- (b) recover artifacts;
- (c) carry out or supervise archaeological fieldwork as a consultant archaeologist; and
- (d) act as a field director.

Requirements for professional licence

7. (1) For the purposes of clause 48 (8) (d) of the Act, the following requirements for the issuance of a professional licence are prescribed in addition to the requirements set out in clauses 48 (8) (a), (b) and (c) of the Act:

- 1. The applicant must hold a Master's degree awarded by a university in an area of archaeology.
- 2. The applicant must have successfully completed a thesis, or a research project in lieu of a thesis, in order to obtain the Master's degree.
- 3. The applicant must be a member in good standing of an archaeological organization with a code of ethics or code of conduct.
- 4. The applicant must have work experience that meets all of the following criteria:
 - i. The work has provided the applicant with at least 52 consecutive or non-consecutive weeks of experience in applying archaeology theory to the practical work situation, including significant experience in each of monitoring, assessing, exploring, surveying and excavating archaeological sites and in recovering artifacts.
 - ii. The work has provided the applicant with experience in managing archaeological fieldwork, including at least 26 consecutive or non-consecutive weeks of experience in supervising, or assisting in supervising, archaeological fieldwork.
 - iii. The work has provided the applicant with experience in analyzing archaeological fieldwork data and managing artifacts.

- iv. The work has provided the applicant with experience in demonstrating proficiency in written communication, including experience in authoring at least four substantive documents dealing with primary archaeological research.

(2) Subsection (1) does not apply,

- (a) to an application for a new licence, if the application was made before January 25, 2006;
- (b) to an application for renewal of a licence, if,
 - (i) the application was made before that date, or
 - (ii) the application is made after that date with respect to a licence that was first issued before that date.

Demonstration of work experience

8. (1) An applicant for a new professional licence shall provide sufficient information with respect to the applicant's work experience to permit an assessment of its nature, quality, duration and currency and, without limiting the generality of the foregoing, shall provide,

- (a) two reports endorsing the applicant, each containing information that the Minister determines is sufficient to permit proper assessment of the applicant's work experience and each from a referee,
 - (i) who has,
 - (A) supervised the applicant's archaeological fieldwork,
 - (B) carried out archaeological fieldwork with the applicant, or
 - (C) acted as advisor or supervisor for the applicant's thesis or research project referred to in paragraph 2 of subsection 7 (1), and
 - (ii) who,
 - (A) holds a professional licence, or
 - (B) is determined by the Minister under subsection (2) to have education and experience equivalent to that required for the issuance of a professional licence;
- (b) confirmation from the applicant that at least 26 weeks of the 52 weeks of archaeological fieldwork experience required under subparagraph 4 i of subsection 7 (1) have been obtained in one or more of the following jurisdictions:
 - (i) Ontario,
 - (ii) a jurisdiction within Canada or the United States that, in the opinion of the Minister, has a geography, a geology, a settlement history and archaeological resources similar to those of Ontario; and
- (c) such examples of the applicant's written work as the Minister may request, including briefs, reports, documents or publications.

(2) In determining, for the purposes of sub-subclause (1) (a) (ii) (B), whether a referee has education and experience equivalent to that required for the issuance of a professional licence, the Minister shall consider all relevant factors, including the following:

- 1. Whether the referee held a professional, consulting or excavation licence that was issued in Ontario and that was not revoked.
 - 2. Whether the referee holds a licence or similar authorization that was issued in a jurisdiction other than Ontario, or held a licence or similar authorization that was issued in a jurisdiction other than Ontario and that was not revoked,
 - i. authorizing activities similar to those authorized by a professional licence, and
 - ii. the issuance of which was based on education and experience requirements equivalent to those for the issuance of a professional licence.
 - 3. Whether the referee works, or has worked, as a professional archaeologist in or outside Ontario in circumstances not requiring a licence or similar authorization referred to in paragraph 1 or 2.
- (3) This section does not apply if the application for the licence was made before January 25, 2006.

Scope of applied research licence

9. (1) Subject to any terms or conditions that may be contained in the licence, an applied research licence authorizes the licensee to,

- (a) monitor, survey, explore and assess archaeological sites;
- (b) recover artifacts; and

(c) act as a field director.

(2) If, at the time the applied research licence is issued, the licensee has held an avocational licence for a period of five years, whether consecutive or non-consecutive, the applied research licence, in addition to providing the authority set out in subsection (1), also authorizes the licensee to excavate archaeological sites.

(3) For greater certainty, an applied research licence does not authorize the licensee to carry out or supervise archaeological fieldwork as a consultant archaeologist.

Requirements for applied research licence

10. (1) For the purposes of clause 48 (8) (d) of the Act, the following requirements for the issuance of an applied research licence are prescribed in addition to the requirements set out in clauses 48 (8) (a), (b) and (c) of the Act:

1. The applicant must,
 - i. hold a Bachelor's degree awarded by a university in an area of archaeology following completion of a four-year program of studies, or
 - ii. have held an avocational licence for a period of five years, whether consecutive or non-consecutive.
2. The applicant must be a member in good standing of an archaeological organization with a code of ethics or code of conduct.
3. The applicant must have work experience that meets all of the following criteria:
 - i. The work has provided the applicant with at least 30 consecutive or non-consecutive weeks of experience in applying archaeology theory to the practical work situation, including significant experience in each of monitoring, assessing, exploring, surveying and excavating archaeological sites and in recovering artifacts.
 - ii. The work has provided the applicant with experience in managing archaeological fieldwork, including experience in supervising, or assisting in supervising, archaeological fieldwork.
 - iii. The work has provided the applicant with experience in analyzing archaeological fieldwork data and managing artifacts.
 - iv. The work has provided the applicant with experience in demonstrating proficiency in written communication, including experience in authoring at least one substantive document dealing with primary archaeological research.
- (2) Subsection (1) does not apply,
 - (a) to an application for a new licence, if the application was made before January 25, 2006;
 - (b) to an application for renewal of a licence, if,
 - (i) the application was made before that date, or
 - (ii) the application is made after that date with respect to a licence that was first issued before that date.

Demonstration of work experience

11. (1) An applicant for a new applied research licence shall provide sufficient information with respect to the applicant's work experience to permit an assessment of its nature, quality, duration and currency and, without limiting the generality of the foregoing, shall provide,

- (a) a report endorsing the applicant, containing information that the Minister determines is sufficient to permit proper assessment of the applicant's work experience, from a referee,
 - (i) who has,
 - (A) supervised the applicant's archaeological fieldwork,
 - (B) carried out archaeological fieldwork with the applicant, or
 - (C) acted as advisor or supervisor for a thesis prepared, or a research project conducted, by the applicant in an area of archaeology, and
 - (ii) who,
 - (A) holds a professional licence, or
 - (B) is determined by the Minister under subsection (2) to have education and experience equivalent to that required for the issuance of a professional licence;
- (b) confirmation from the applicant that at least 15 weeks of the 30 weeks of archaeological fieldwork experience required under subparagraph 3 i of subsection 10 (1) have been obtained in one or more of the following jurisdictions:

(i) Ontario,

(ii) a jurisdiction within Canada or the United States that, in the opinion of the Minister, has a geography, a geology, a settlement history and archaeological resources similar to those of Ontario; and

(c) such examples of the applicant's written work as the Minister may request, including briefs, reports, documents or publications.

(2) In determining, for the purposes of sub-subclause (1) (a) (ii) (B), whether a referee has education and experience equivalent to that required for the issuance of a professional licence, the Minister shall consider all relevant factors, including the following:

1. Whether the referee held a professional licence, a consulting licence, or an excavation licence, that was issued in Ontario and that was not revoked.
 2. Whether the referee holds a licence or similar authorization that was issued in a jurisdiction other than Ontario, or held a licence or similar authorization that was issued in a jurisdiction other than Ontario and that was not revoked,
 - i. authorizing activities similar to those authorized by a professional licence, and
 - ii. the issuance of which was based on education and experience requirements equivalent to those for the issuance of a professional licence.
 3. Whether the referee works, or has worked, as a professional archaeologist in or outside Ontario in circumstances not requiring a licence or similar authorization referred to in paragraph 1 or 2.
- (3) This section does not apply if the application for the licence was made before January 25, 2006.

Scope of avocational licence

12. (1) Subject to any terms or conditions that may be contained in the licence, an avocational licence authorizes the licensee to,

- (a) monitor, survey and explore archaeological sites; and
 - (b) recover artifacts.
- (2) For greater certainty, an avocational licence does not authorize the licensee to,
- (a) assess or excavate archaeological sites;
 - (b) carry out or supervise archaeological fieldwork as a consultant archaeologist; or
 - (c) act as a field director.

Competence

13. (1) In determining whether an applicant for an avocational licence has met the requirement set out in clause 48 (8) (a) of the Act, the Minister shall consider all relevant factors, including the following:

1. Whether the applicant has knowledge of archaeological fieldwork acquired through,
 - i. educational experiences,
 - ii. the carrying out of archaeological fieldwork in Ontario in circumstances not requiring a licence, or
 - iii. the carrying out of archaeological fieldwork in a jurisdiction other than Ontario in accordance with the laws of that jurisdiction.
2. Whether the applicant has conducted research in archaeology or authored documents on archaeology.
3. Whether the applicant is a member in good standing of an archaeological organization with a code of ethics or code of conduct.

(2) For greater certainty, the requirements referred to in clauses 48 (8) (b), (c) and (d) of the Act also apply to the issuance of an avocational licence.

(3) Subsection (1) does not apply,

- (a) to an application for a new licence, if the application was made before January 25, 2006; or
- (b) to an application for renewal of a licence, if,
 - (i) the application was made before that date, or
 - (ii) the application is made after that date with respect to a licence that was first issued before that date.

Demonstration of factors

14. (1) An applicant for a new avocational licence shall provide sufficient information with respect to the applicant's knowledge of archaeological fieldwork to permit an assessment of its nature, quality and currency and, without limiting the generality of the foregoing, shall provide a report endorsing the applicant, containing information that the Minister determines is sufficient to permit proper assessment of the applicant's knowledge of archaeological fieldwork, from a referee,

- (a) who,
 - (i) has supervised the applicant's archaeological fieldwork,
 - (ii) has carried out archaeological fieldwork with the applicant,
 - (iii) has taught the applicant in an area of archaeology, or
 - (iv) is the mentor under the mentoring agreement referred to in section 15; and
- (b) who,
 - (i) holds a professional licence or an applied research licence, or
 - (ii) is determined by the Minister under subsection (3) to have education and experience equivalent to that required for the issuance of a professional licence or an applied research licence.

(2) The applicant shall provide such examples of the applicant's written work as the Minister may request, including briefs, reports, documents or publications.

(3) In determining, for the purposes of subclause (1) (b) (ii), whether a referee has education and experience equivalent to that required for the issuance of a professional licence or an applied research licence, the Minister shall consider all relevant factors, including the following:

1. Whether the referee held a consulting licence, a consulting stage 1-3 licence, an excavation licence, a survey and test excavation licence, a professional licence, or an applied research licence, that was issued in Ontario and was not revoked.
2. Whether the referee holds a licence or similar authorization that was issued in a jurisdiction other than Ontario, or held a licence or similar authorization that was issued in a jurisdiction other than Ontario and that was not revoked,
 - i. authorizing activities similar to those authorized by a professional licence or an applied research licence, and
 - ii. the issuance of which was based on education and experience requirements equivalent to those for the issuance of a professional licence or an applied research licence.
3. Whether the referee works, or has worked, as a professional archaeologist in or outside Ontario in circumstances not requiring a licence or similar authorization referred to in paragraph 1 or 2.

(4) This section does not apply if the application for the licence was made before January 25, 2006.

Mentoring agreement

15. (1) A new avocational licence shall not be issued to an applicant unless,

- (a) the applicant has entered into a mentoring agreement for the term of the licence with a mentor who,
 - (i) holds a professional licence or an applied research licence, or
 - (ii) is determined by the Minister under subsection (7) to have education and experience equivalent to that required for the issuance of a professional licence or an applied research licence; and
- (b) the mentoring agreement requires that, at the end of the term of the licence, the mentor give the Minister a report containing information that the Minister determines is sufficient to permit proper assessment of the licensee's knowledge of archaeological fieldwork.

(2) When submitting an application to the Minister for a new avocational licence, the applicant shall also submit to the Minister a copy of the mentoring agreement signed by the mentor and the applicant.

(3) The term of a new avocational licence that the Minister issues to an applicant shall be one year.

(4) In determining whether to renew an avocational licence held by a licensee who is a party to a mentoring agreement and in determining the term of the renewed licence, the Minister shall consider the mentor's report referred to in clause (1) (b).

(5) If the mentor's report does not recommend renewal of the avocational licence, the Minister may decide to renew the avocational licence only if,

- (a) the licensee has entered into a new mentoring agreement for the term of the renewed licence with a mentor described in clause (1) (a); and

(6) the new mentoring agreement requires that, at the end of the term of the renewed licence, the mentor give the Minister a report containing information that the Minister determines is sufficient to permit proper assessment of the licensee's knowledge of archaeological fieldwork.

(6) If the Minister decides to renew an avocational licence, the term of the renewed licence may be any term that the Minister considers appropriate.

(7) In determining, for the purposes of this section, whether a mentor has education and experience equivalent to that required for the issuance of a professional licence or an applied research licence, the Minister shall consider all relevant factors, including the factors set out in paragraphs 1, 2 and 3 of subsection 14 (3), which shall be read as if a reference to "referee" were a reference to "mentor".

No licence required

16. For the purposes of clause 48 (2) (c) of the Act, a licence is not required for an activity that is encompassed by paragraph 1 or 2 of subsection 48 (1) of the Act, if,

- (a) the activity is carried out under the supervision of a licensee who holds a professional licence or an applied research licence that authorizes the carrying out of that activity; and
- (b) the activity is carried out by an individual who is not acting as a field director.

Revocation

17. Regulation 881 of the Revised Regulations of Ontario, 1990 is revoked.

RÈGLEMENT DE L'ONTARIO 8/06

pris en application de la

LOI SUR LE PATRIMOINE DE L'ONTARIO

pris le 7 décembre 2005

déposé le 25 janvier 2006

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LICENCES DÉLIVRÉES EN VERTU DE LA PARTIE VI DE LA LOI — EXCEPTION FAITE DES SITES ARCHÉOLOGIQUES MARINS

Interprétation

1. (1) Les définitions qui suivent s'appliquent au présent règlement.

«archéologue-conseil» Archéologue qui, en vertu d'une entente conclue avec le client, exécute ou supervise, pour le compte de ce dernier, des travaux archéologiques sur le terrain, dresse des rapports à son intention ou pour son compte et lui fournit des conseils techniques. («consultant archaeologist»)

«artefact» S'entend au sens de l'article 1 du Règlement de l'Ontario 170/04 (Définitions) pris en application de la Loi. («artifact»)

«directeur des fouilles» Archéologue qui supervise les travaux archéologiques sur le terrain et prend chaque jour des décisions les concernant, sous la direction du titulaire d'une licence d'archéologue professionnel. («field director»)

«licence» Licence délivrée en vertu de la Loi, sauf dans le cas d'un renvoi à une licence ou à une autorisation semblable délivrée par un territoire de compétence autre que l'Ontario. («licence»)

«site archéologique» S'entend au sens de l'article 1 du Règlement de l'Ontario 170/04 (Définitions) pris en application de la Loi. («archaeological site»)

«site archéologique marin» S'entend au sens de l'article 1 du Règlement de l'Ontario 170/04 (Définitions) pris en application de la Loi. («marine archaeological site»)

«travaux archéologiques sur le terrain» S'entend au sens de l'article 1 du Règlement de l'Ontario 170/04 (Définitions) pris en application de la Loi. («archaeological fieldwork»)

(2) La licence délivrée conformément à la demande que présente un particulier constitue une nouvelle licence si celui-ci, selon le cas :

- a) n'a jamais été titulaire d'une licence;
 - b) est titulaire d'une licence, mais sa demande porte sur une licence d'une catégorie différente de celle dont il est présentement titulaire;
 - c) a déjà été titulaire d'une licence mais ne l'est plus, et sa demande porte sur une licence d'une catégorie différente de celle dont il a été titulaire en dernier;
 - d) a déjà été titulaire d'une licence mais ne l'est plus, et sa demande porte sur une licence de la même catégorie que celle dont il a été titulaire en dernier et est présentée plus de cinq ans après son expiration;
 - e) a déjà été titulaire d'une licence mais ne l'est plus, et sa demande porte sur une licence de la même catégorie que celle dont il a été titulaire en dernier et est présentée plus de cinq ans après que celle-ci a été annulée par le ministre à sa demande;
 - f) a déjà été titulaire d'une licence mais ne l'est plus, et sa demande porte sur une licence de la même catégorie que celle dont il a été titulaire en dernier et que le ministre a révoquée ou a refusé de renouveler en vertu de l'article 49 de la Loi.
- (3) La licence délivrée conformément à la demande que présente un particulier constitue le renouvellement de sa licence si celui-ci, selon le cas :
- a) est titulaire d'une licence et demande, avant l'expiration de celle-ci, la délivrance d'une licence de même catégorie;
 - b) a déjà été titulaire d'une licence mais ne l'est plus, et sa demande porte sur une licence de la même catégorie que celle dont il a été titulaire en dernier et est présentée au plus tard cinq ans après son expiration;
 - c) a déjà été titulaire d'une licence mais ne l'est plus, et sa demande porte sur une licence de la même catégorie que celle dont il a été titulaire en dernier et est présentée au plus tard cinq ans après que celle-ci a été annulée par le ministre à sa demande.

Catégories de licences

2. Les catégories de licences suivantes sont prescrites :

- 1. La licence d'archéologue professionnel.
- 2. La licence de recherche appliquée.
- 3. La licence d'archéologue amateur.

Non-application

3. Aucune des catégories de licences prescrites par le présent règlement n'habilite à exercer des activités sur un site archéologique marin.

Une seule licence

4. (1) Nul ne doit détenir plus d'une des catégories de licences prescrites par le présent règlement à la fois.

(2) Le titulaire d'une licence qui présente au ministre une demande de licence portant sur une catégorie différente y joint une demande d'annulation de celle dont il est alors titulaire sous la forme et de la manière qu'il exige.

Renseignements faux ou trompeurs

5. (1) L'auteur d'une demande est réputé ne pas avoir satisfait aux exigences relatives à la délivrance d'une catégorie de licences prescrite par le présent règlement s'il a fait sciemment une déclaration ou une assertion fausse ou trompeuse dans sa demande.

(2) Le paragraphe (1) ne s'applique pas si la déclaration ou l'assertion fausse ou trompeuse a été faite avant le 25 janvier 2006.

Licence d'archéologue professionnel

6. Sous réserve des conditions qu'elle peut comporter, la licence d'archéologue professionnel autorise son titulaire à exercer les activités suivantes :

- a) surveiller, prospecter, explorer, évaluer et fouiller des sites archéologiques;
- b) dégager des artefacts;
- c) exécuter ou superviser des travaux archéologiques sur le terrain en qualité d'archéologue-conseil;
- d) agir en qualité de directeur des fouilles.

7. (1) Pour l'application de l'alinéa 48 (8) d) de la Loi, les exigences relatives à la délivrance d'une licence d'archéologue professionnel suivantes sont prescrites en plus de celles qui sont énoncées aux alinéas 48 (8) a), b) et c) de la Loi :

1. L'auteur de la demande doit être titulaire d'une maîtrise décernée par une université dans un domaine de l'archéologie.
2. L'auteur de la demande doit avoir terminé avec succès une thèse ou un projet de recherche menant à l'obtention de la maîtrise.
3. L'auteur de la demande doit être membre en règle d'une association d'archéologues dotée d'un code de déontologie ou d'un code de conduite.
4. L'expérience professionnelle de l'auteur de la demande doit remplir tous les critères suivants :
 - i. L'acquisition d'au moins 52 semaines d'expérience, consécutives ou non, dans l'application des théories de l'archéologie à des situations pratiques, y compris une solide expérience dans les domaines de la surveillance, de l'évaluation, de l'exploration, de la prospection et de la fouille des sites archéologiques et du dégagement des artefacts.
 - ii. L'acquisition d'une expérience dans la gestion des travaux archéologiques sur le terrain, y compris au moins 26 semaines d'expérience, consécutives ou non, dans la supervision ou l'aide à la supervision de travaux archéologiques sur le terrain.
 - iii. L'acquisition d'une expérience dans l'analyse des données recueillies lors de travaux archéologiques sur le terrain et dans la gestion des artefacts.
 - iv. L'acquisition d'une expérience dans les communications écrites, notamment par la rédaction d'au moins quatre documents importants portant sur des travaux de recherche archéologique menés à partir de sources primaires.

(2) Le paragraphe (1) ne s'applique pas aux demandes suivantes :

- a) la demande d'obtention d'une nouvelle licence qui a été présentée avant le 25 janvier 2006;
- b) la demande de renouvellement d'une licence qui a été présentée :
 - (i) soit avant cette date,
 - (ii) soit après cette date à l'égard d'une licence délivrée pour la première fois avant cette date.

Preuve de l'expérience professionnelle

8. (1) L'auteur d'une demande d'obtention d'une nouvelle licence d'archéologue professionnel fournit des renseignements suffisants sur son expérience professionnelle pour permettre une évaluation de sa nature, de sa qualité, de sa durée et de sa fiabilité, notamment :

- a) deux rapports appuyant l'auteur de la demande, chacun contenant les renseignements que le ministre juge suffisants pour permettre une évaluation adéquate de son expérience professionnelle et chacun étant rédigé par un arbitre qui :
 - (i) d'une part, a exercé l'une ou l'autre des fonctions suivantes :
 - (A) la supervision des travaux archéologiques sur le terrain exécutés par l'auteur de la demande,
 - (B) l'exécution de travaux archéologiques sur le terrain en compagnie de l'auteur de la demande,
 - (C) le rôle de conseiller ou de superviseur de la thèse ou du projet de recherche de l'auteur de la demande visé à la disposition 2 du paragraphe 7 (1),
 - (ii) d'autre part, possède, selon le cas :
 - (A) une licence d'archéologue professionnel,
 - (B) conformément à la décision prise par le ministre aux termes du paragraphe (2), une formation et une expérience équivalentes à celles exigées pour la délivrance d'une licence d'archéologue professionnel;
- b) la confirmation, de la part de l'auteur de la demande, qu'il a acquis au moins 26 des 52 semaines d'expérience exigée en application de la sous-disposition 4 i) du paragraphe 7 (1) à l'égard des travaux archéologiques sur le terrain dans un ou plusieurs des territoires de compétence suivants :
 - (i) l'Ontario,
 - (ii) un territoire de compétence au Canada ou aux États-Unis dont la géographie, la géologie, l'histoire du peuplement et les ressources archéologiques ressemblent, de l'avis du ministre, à ceux de l'Ontario;
- c) les exemples des travaux écrits de l'auteur de la demande, y compris des mémoires, des rapports, des documents ou des publications, que le ministre peut lui demander.

(2) Lorsqu'il décide, pour l'application du sous-sous-alinéa (1) a) (ii) (B), si l'arbitre possède une formation et une expérience équivalentes à celles exigées pour la délivrance d'une licence d'archéologue professionnel, le ministre examine tous les éléments pertinents, notamment :

1. Le fait que l'arbitre a ou non été titulaire d'une licence d'archéologue professionnel, d'une licence d'expert-conseil ou d'une licence de fouille qui a été délivrée en Ontario et n'a pas été révoquée.
2. Le fait que l'arbitre est ou non titulaire d'une licence ou d'une autorisation semblable délivrée par un territoire de compétence autre que l'Ontario ou qu'il a ou non été titulaire d'une telle licence ou autorisation qui n'a pas été révoquée et qui remplit les critères suivants :
 - i. elle autorise son titulaire à exercer des activités semblables à celles que prévoit la licence d'archéologue professionnel,
 - ii. les exigences relatives à sa délivrance en matière de formation et d'expérience étaient équivalentes à celles qui sont prévues pour la délivrance de la licence d'archéologue professionnel.
3. Le fait que l'arbitre travaille ou a travaillé ou non en qualité d'archéologue professionnel en Ontario ou à l'extérieur dans des circonstances dans lesquelles il n'est pas nécessaire d'avoir une licence ou une autorisation semblable visée à la disposition 1 ou 2.

(3) Le présent article ne s'applique pas si la demande de licence a été présentée avant le 25 janvier 2006.

Licence de recherche appliquée

9. (1) Sous réserve des conditions qu'elle peut comporter, la licence de recherche appliquée autorise son titulaire à exercer les activités suivantes :

- a) surveiller, prospecter, explorer et évaluer des sites archéologiques;
- b) dégager des artefacts;
- c) agir en qualité de directeur des fouilles.

(2) Le titulaire d'une licence de recherche appliquée qui, lors de la délivrance de cette licence, a été titulaire d'une licence d'archéologue amateur pendant cinq années, consécutives ou non, est habilité à fouiller des sites archéologiques en plus d'exercer les activités autorisées par le paragraphe (1).

(3) Il est entendu que la licence de recherche appliquée n'autorise pas son titulaire à exécuter ou à superviser des travaux archéologiques sur le terrain en qualité d'archéologue-conseil.

Exigences relatives à la délivrance d'une licence de recherche appliquée

10. (1) Pour l'application de l'alinéa 48 (8) d) de la Loi, les exigences relatives à la délivrance d'une licence de recherche appliquée suivantes sont prescrites en plus de celles qui sont énoncées aux alinéas 48 (8) a), b) et c) de la Loi :

1. L'auteur de la demande doit :
 - i. soit être titulaire d'un baccalauréat décerné par une université dans un domaine de l'archéologie et avoir terminé un programme d'études de quatre ans,
 - ii. soit avoir été titulaire d'une licence d'archéologue amateur pendant cinq années, consécutives ou non.
2. L'auteur de la demande doit être membre en règle d'une association d'archéologues dotée d'un code de déontologie ou d'un code de conduite.
3. L'expérience professionnelle de l'auteur de la demande doit remplir tous les critères suivants :
 - i. L'acquisition d'au moins 30 semaines d'expérience, consécutives ou non, dans l'application des théories de l'archéologie à des situations pratiques, y compris une solide expérience dans les domaines de la surveillance, de l'évaluation, de l'exploration, de la prospection et de la fouille des sites archéologiques et du dégagement des artefacts.
 - ii. L'acquisition d'une expérience dans la gestion des travaux archéologiques sur le terrain, y compris dans la supervision ou l'aide à la supervision de travaux archéologiques sur le terrain.
 - iii. L'acquisition d'une expérience dans l'analyse des données recueillies lors de travaux archéologiques sur le terrain et dans la gestion des artefacts.
 - iv. L'acquisition d'une expérience dans les communications écrites, notamment par la rédaction d'au moins un document important portant sur des travaux de recherche archéologique menés à partir de sources primaires.

(2) Le paragraphe (1) ne s'applique pas aux demandes suivantes :

- a) la demande d'obtention d'une nouvelle licence qui a été présentée avant le 25 janvier 2006;

(i) soit avant cette date,

(ii) soit après cette date à l'égard d'une licence délivrée pour la première fois avant cette date.

Preuve de l'expérience professionnelle

11. (1) L'auteur d'une demande d'obtention d'une nouvelle licence de recherche appliquée fournit des renseignements suffisants sur son expérience professionnelle pour permettre une évaluation de sa nature, de sa qualité, de sa durée et de sa fiabilité, notamment :

a) un rapport appuyant l'auteur de la demande qui contient les renseignements que le ministre juge suffisants pour permettre une évaluation adéquate de son expérience professionnelle et est rédigé par un arbitre qui :

(i) d'une part, a exercé l'une ou l'autre des fonctions suivantes :

(A) la supervision des travaux archéologiques sur le terrain exécutés par l'auteur de la demande,

(B) l'exécution de travaux archéologiques sur le terrain en compagnie de l'auteur de la demande,

(C) le rôle de conseiller ou de superviseur de la thèse ou du projet de recherche de l'auteur de la demande dans un domaine de l'archéologie,

(ii) d'autre part, possède, selon le cas :

(A) une licence d'archéologue professionnel,

(B) conformément à la décision prise par le ministre aux termes du paragraphe (2), une formation et une expérience équivalentes à celles exigées pour la délivrance d'une licence d'archéologue professionnel;

b) la confirmation, de la part de l'auteur de la demande, qu'il a acquis au moins 15 des 30 semaines d'expérience exigée en application de la sous-disposition 3 i du paragraphe 10 (1) à l'égard des travaux archéologiques sur le terrain dans un ou plusieurs des territoires de compétence suivants :

(i) l'Ontario,

(ii) un territoire de compétence au Canada ou aux États-Unis dont la géographie, la géologie, l'histoire du peuplement et les ressources archéologiques ressemblent, de l'avis du ministre, à ceux de l'Ontario;

c) les exemples des travaux écrits de l'auteur de la demande, y compris des mémoires, des rapports, des documents ou des publications, que le ministre peut lui demander.

(2) Lorsqu'il décide, pour l'application du sous-sous-alinéa (1) a) (ii) (B), si l'arbitre possède une formation et une expérience équivalentes à celles exigées pour la délivrance d'une licence d'archéologue professionnel, le ministre examine tous les éléments pertinents, notamment :

1. Le fait que l'arbitre a ou non été titulaire d'une licence d'archéologue professionnel, d'une licence d'expert-conseil ou d'une licence de fouille qui a été délivrée en Ontario et n'a pas été révoquée.

2. Le fait que l'arbitre est ou non titulaire d'une licence ou d'une autorisation semblable délivrée par un territoire de compétence autre que l'Ontario ou qu'il a ou non été titulaire d'une telle licence ou autorisation qui n'a pas été révoquée et qui remplit les critères suivants :

i. elle autorise son titulaire à exercer des activités semblables à celles que prévoit la licence d'archéologue professionnel,

ii. les exigences relatives à sa délivrance en matière de formation et d'expérience étaient équivalentes à celles qui sont prévues pour la délivrance de la licence d'archéologue professionnel.

3. Le fait que l'arbitre travaille ou a travaillé ou non en qualité d'archéologue professionnel en Ontario ou à l'extérieur dans des circonstances dans lesquelles il n'est pas nécessaire d'avoir une licence ou une autorisation semblable visée à la disposition 1 ou 2.

(3) Le présent article ne s'applique pas si la demande de licence a été présentée avant le 25 janvier 2006.

Licence d'archéologue amateur

12. (1) Sous réserve des conditions qu'elle peut comporter, la licence d'archéologue amateur autorise son titulaire à exercer les activités suivantes :

a) surveiller, prospecter et explorer des sites archéologiques;

b) dégager des artefacts.

(2) Il est entendu que la licence d'archéologue amateur n'autorise pas son titulaire à exercer les activités suivantes :

- a) évaluer ou fouiller des sites archéologiques;
- b) exécuter ou superviser des travaux archéologiques sur le terrain en qualité d'archéologue-conseil;
- c) agir en qualité de directeur des fouilles.

Compétence

13. (1) Lorsqu'il décide si l'auteur d'une demande d'obtention d'une licence d'archéologue amateur a satisfait à l'exigence énoncée à l'alinéa 48 (8) a) de la Loi, le ministre examine tous les éléments pertinents, notamment :

- 1. Le fait que les connaissances qu'il possède dans le domaine des travaux archéologiques sur le terrain ont été ou non acquises dans l'un des cadres suivants :
 - i. soit des formations,
 - ii. soit l'exécution de travaux archéologiques sur le terrain en Ontario dans des circonstances dans lesquelles il n'est pas nécessaire d'avoir une licence,
 - iii. soit l'exécution de travaux archéologiques sur le terrain dans un territoire de compétence autre que l'Ontario conformément à la législation en vigueur dans ce territoire.
- 2. Le fait qu'il a ou non effectué des recherches en archéologie ou rédigé des documents dans cette discipline.
- 3. Le fait qu'il est ou non membre en règle d'une association d'archéologues dotée d'un code de déontologie ou d'un code de conduite.

(2) Il est entendu que les exigences visées aux alinéas 48 (8) b), c) et d) de la Loi s'appliquent également à la délivrance d'une licence d'archéologue amateur.

(3) Le paragraphe (1) ne s'applique pas aux demandes suivantes :

- a) la demande d'obtention d'une nouvelle licence qui a été présentée avant le 25 janvier 2006;
- b) la demande de renouvellement d'une licence qui a été présentée :
 - (i) soit avant cette date,
 - (ii) soit après cette date à l'égard d'une licence délivrée pour la première fois avant cette date.

Preuve de l'expérience professionnelle

14. (1) L'auteur d'une demande d'obtention d'une nouvelle licence d'archéologue amateur fournit des renseignements suffisants sur ses connaissances dans le domaine des travaux archéologiques sur le terrain pour permettre une évaluation de sa nature, de sa qualité et de sa fiabilité, notamment un rapport l'appuyant qui contient les renseignements que le ministre juge suffisants pour permettre une évaluation adéquate de ses connaissances en la matière et qui est rédigé par un arbitre qui :

- a) d'une part, a exercé l'une ou l'autre des fonctions suivantes :
 - (i) la supervision des travaux archéologiques sur le terrain exécutés par l'auteur de la demande,
 - (ii) l'exécution de travaux archéologiques sur le terrain en compagnie de l'auteur de la demande,
 - (iii) l'enseignement d'un domaine de l'archéologie à l'auteur de la demande,
 - (iv) le rôle de mentor conformément à l'entente de mentorat visée à l'article 15;
- b) d'autre part, possède, selon le cas :
 - (i) une licence d'archéologue professionnel ou une licence de recherche appliquée,
 - (ii) conformément à la décision prise par le ministre aux termes du paragraphe (3), une formation et une expérience équivalentes à celles exigées pour la délivrance d'une licence d'archéologue professionnel ou d'une licence de recherche appliquée.

(2) L'auteur d'une demande fournit les exemples de ses travaux écrits, y compris des mémoires, des rapports, des documents ou des publications, que le ministre peut lui demander.

(3) Lorsqu'il décide, pour l'application du sous-alinéa (1) b) (ii), si l'arbitre possède une formation et une expérience équivalentes à celles exigées pour la délivrance d'une licence d'archéologue professionnel ou d'une licence de recherche appliquée, le ministre examine tous les éléments pertinents, notamment :

- 1. Le fait que l'arbitre a ou non été titulaire d'une licence d'expert-conseil, d'une licence d'expert-conseil 1-3, d'une licence de fouille, d'une licence de prospection et de sondage, d'une licence d'archéologue professionnel ou d'une licence de recherche appliquée qui a été délivrée en Ontario et n'a pas été révoquée.

... ou qu'il n'est ni titulaire d'une licence ou d'une autorisation semblable délivrée par un territoire de compétence autre que l'Ontario ou qu'il a ou non été titulaire d'une telle licence ou autorisation qui n'a pas été révoquée et qui remplit les critères suivants :

- i. elle autorise son titulaire à exercer des activités semblables à celles que prévoit la licence d'archéologue professionnel ou la licence de recherche appliquée,
 - ii. les exigences relatives à sa délivrance en matière de formation et d'expérience étaient équivalentes à celles qui sont prévues pour la délivrance de la licence d'archéologue professionnel ou la licence de recherche appliquée.
3. Le fait que l'arbitre travaille ou a travaillé ou non en qualité d'archéologue professionnel en Ontario ou à l'extérieur dans des circonstances dans lesquelles il n'est pas nécessaire d'avoir une licence ou une autorisation semblable visée à la disposition 1 ou 2.
- (4) Le présent article ne s'applique pas si la demande de licence a été présentée avant le 25 janvier 2006.

Entente de mentorat

15. (1) Une nouvelle licence d'archéologue amateur ne doit être délivrée à l'auteur d'une demande que si les conditions suivantes sont réunies :

- a) il a conclu une entente de mentorat, valable pendant toute la durée de la licence, avec un mentor qui :
 - (i) soit est titulaire d'une licence d'archéologue professionnel ou d'une licence de recherche appliquée,
 - (ii) soit a, conformément à la décision prise par le ministre aux termes du paragraphe (7), une formation et une expérience équivalentes à celles exigées pour la délivrance d'une licence d'archéologue professionnel ou d'une licence de recherche appliquée;
 - b) l'entente de mentorat exige qu'à l'expiration de la licence, le mentor présente au ministre un rapport qui contient les renseignements que ce dernier juge suffisants pour permettre une évaluation adéquate de ses connaissances dans le domaine des travaux archéologiques sur le terrain.
- (2) Lorsqu'il présente au ministre une demande d'obtention d'une nouvelle licence d'archéologue amateur, l'auteur de la demande y joint une copie de l'entente de mentorat que lui-même et son mentor ont signée.
- (3) La durée de la nouvelle licence d'archéologue amateur que le ministre délivre à l'auteur de la demande est d'un an.
- (4) Le ministre tient compte du rapport visé à l'alinéa (1) b) lorsqu'il décide s'il y a lieu de renouveler la licence d'archéologue amateur dont le titulaire est partie à une entente de mentorat et qu'il fixe la durée d'une telle licence.
- (5) Si, dans son rapport, le mentor ne recommande pas le renouvellement de la licence d'archéologue amateur, le ministre ne peut décider de la renouveler que si les conditions suivantes sont réunies :

- a) le titulaire de la licence a conclu une nouvelle entente de mentorat avec un mentor visé à l'alinéa (1) a) qui est valable pendant la durée du renouvellement;
 - b) la nouvelle entente de mentorat exige qu'à l'expiration de la licence renouvelée, le mentor présente au ministre un rapport qui contient les renseignements que ce dernier juge suffisants pour permettre une évaluation adéquate des connaissances du titulaire de la licence dans le domaine des travaux archéologiques sur le terrain.
- (6) S'il décide de renouveler une licence d'archéologue amateur, le ministre en fixe la durée qu'il juge appropriée.
- (7) Lorsqu'il décide, pour l'application du présent article, si le mentor possède une formation et une expérience équivalentes à celles exigées pour la délivrance d'une licence d'archéologue professionnel ou d'une licence de recherche appliquée, le ministre examine tous les éléments pertinents, y compris ceux qui sont énoncés aux dispositions 1, 2 et 3 du paragraphe 14 (3), et la mention du terme «arbitre» vaut mention de «mentor».

Licence non nécessaire

16. Pour l'application de l'alinéa 48 (2) c) de la Loi, une licence n'est pas nécessaire pour exercer une activité visée à la disposition 1 ou 2 du paragraphe 48 (1) de la Loi si l'activité :

- a) d'une part, est exercée sous la direction du titulaire d'une licence d'archéologue professionnel ou d'une licence de recherche appliquée qui habilite à l'exercer;
- b) d'autre part, est exercée par un particulier qui n'agit pas en qualité de directeur des fouilles.

Abrogation

17. Le Règlement 881 des Règlements refondus de l'Ontario de 1990 est abrogé.

ONTARIO REGULATION 9/06

made under the

ONTARIO HERITAGE ACT

Made: December 7, 2005

Filed: January 25, 2006

Published on e-Laws: January 26, 2006

Printed in *The Ontario Gazette*: February 11, 2006

CRITERIA FOR DETERMINING CULTURAL HERITAGE VALUE OR INTEREST

Criteria

1. (1) The criteria set out in subsection (2) are prescribed for the purposes of clause 29 (1) (a) of the Act.

(2) A property may be designated under section 29 of the Act if it meets one or more of the following criteria for determining whether it is of cultural heritage value or interest:

1. The property has design value or physical value because it,
 - i. is a rare, unique, representative or early example of a style, type, expression, material or construction method,
 - ii. displays a high degree of craftsmanship or artistic merit, or
 - iii. demonstrates a high degree of technical or scientific achievement.
2. The property has historical value or associative value because it,
 - i. has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community,
 - ii. yields, or has the potential to yield, information that contributes to an understanding of a community or culture, or
 - iii. demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.
3. The property has contextual value because it,
 - i. is important in defining, maintaining or supporting the character of an area,
 - ii. is physically, functionally, visually or historically linked to its surroundings, or
 - iii. is a landmark.

Transition

2. This Regulation does not apply in respect of a property if notice of intention to designate it was given under subsection 29 (1.1) of the Act on or before January 24, 2006.

RÈGLEMENT DE L'ONTARIO 9/06

pris en application de la

LOI SUR LE PATRIMOINE DE L'ONTARIO

pris le 7 décembre 2005

déposé le 25 janvier 2006

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imprimé dans la *Gazette de l'Ontario* le 11 février 2006

CRITÈRES PERMETTANT D'ÉTABLIR LA VALEUR OU LE CARACTÈRE D'UN BIEN SUR LE PLAN DU PATRIMOINE CULTUREL

Critères

1. (1) Les critères énoncés au paragraphe (2) sont prescrits pour l'application de l'alinéa 29 (1) a) de la Loi.

Le bien a une valeur au plan de la conception ou une valeur physique parce qu'il répond à un ou plusieurs des critères suivants qui permettent d'établir s'il a une valeur ou un caractère sur le plan du patrimoine culturel :

1. Le bien a une valeur au plan de la conception ou une valeur physique parce que, selon le cas :
 - i. il est un exemple rare, unique, représentatif ou précoce d'un style, d'un type, d'une expression, d'un matériau ou d'une méthode de construction,
 - ii. il présente un intérêt artistique ou artisanal exceptionnel,
 - iii. il reflète un degré élevé de réalisation technique ou scientifique.
2. Le bien a une valeur historique ou associative parce que, selon le cas :
 - i. il a des liens directs avec un thème, un événement, une croyance, une personne, une activité, une organisation ou une institution qui est important pour une communauté,
 - ii. il présente, ou a le potentiel de présenter, des renseignements qui contribuent à comprendre une communauté ou une culture,
 - iii. il illustre ou reflète le travail ou les idées d'un architecte, d'un artiste, d'un constructeur, d'un concepteur ou d'un théoricien qui est important pour une communauté.
3. Le bien a une valeur contextuelle parce que, selon le cas :
 - i. il est important pour définir, maintenir ou soutenir le caractère d'une région,
 - ii. il est lié physiquement, fonctionnellement, visuellement ou historiquement à son environnement,
 - iii. il s'agit d'un haut-lieu.

Disposition transitoire

2. Le présent règlement ne s'applique pas à l'égard d'un bien si un avis d'intention de le désigner a été donné en application du paragraphe 29 (1.1) de la Loi au plus tard le 24 janvier 2006.

06/06

ONTARIO REGULATION 10/06

made under the

ONTARIO HERITAGE ACT

Made: December 7, 2005

Filed: January 25, 2006

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**CRITERIA FOR DETERMINING CULTURAL HERITAGE VALUE OR INTEREST OF
PROVINCIAL SIGNIFICANCE**

Criteria

1. (1) The criteria set out in subsection (2) are prescribed for the purposes of clause 34.5 (1) (a) of the Act.
- (2) A property may be designated under section 34.5 of the Act if it meets one or more of the following criteria for determining whether it is of cultural heritage value or interest of provincial significance:
 1. The property represents or demonstrates a theme or pattern in Ontario's history.
 2. The property yields, or has the potential to yield, information that contributes to an understanding of Ontario's history.
 3. The property demonstrates an uncommon, rare or unique aspect of Ontario's cultural heritage.
 4. The property is of aesthetic, visual or contextual importance to the province.

5. The property demonstrates a high degree of excellence or creative, technical or scientific achievement at a provincial level in a given period.
6. The property has a strong or special association with the entire province or with a community that is found in more than one part of the province. The association exists for historic, social, or cultural reasons or because of traditional use.
7. The property has a strong or special association with the life or work of a person, group or organization of importance to the province or with an event of importance to the province.
8. The property is located in unorganized territory and the Minister determines that there is a provincial interest in the protection of the property.

RÈGLEMENT DE L'ONTARIO 10/06

pris en application de la

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CRITÈRES PERMETTANT D'ÉTABLIR LA VALEUR OU LE CARACTÈRE D'INTÉRÊT PROVINCIAL D'UN BIEN SUR LE PLAN DU PATRIMOINE CULTUREL

Critères

1. (1) Les critères énoncés au paragraphe (2) sont prescrits pour l'application de l'alinéa 34.5 (1) a) de la Loi.
- (2) Un bien peut être désigné en vertu de l'article 34.5 de la Loi s'il répond à un ou plusieurs des critères suivants qui permettent d'établir s'il a une valeur ou un caractère d'intérêt provincial sur le plan du patrimoine culturel :
 1. Le bien représente ou illustre un thème ou une tendance de l'histoire de l'Ontario.
 2. Le bien présente, ou a le potentiel de présenter, des renseignements qui contribuent à comprendre l'histoire de l'Ontario.
 3. Le bien montre un aspect inhabituel, rare ou unique du patrimoine culturel ontarien.
 4. Le bien présente une importance esthétique, visuelle ou contextuelle pour la province.
 5. Le bien présente un degré élevé d'excellence ou constitue une réalisation créative, technique ou scientifique au niveau provincial, au cours d'une période donnée.
 6. Le bien comporte un lien étroit ou spécial pour des raisons historiques, sociales, culturelles ou traditionnelles avec toute la province ou une communauté établie dans plus d'une région de la province.
 7. Le bien présente un lien étroit ou spécial avec la vie ou l'oeuvre d'une personne, d'un groupe ou d'un organisme ou avec un événement revêtant une importance pour la province.
 8. Le bien se trouve dans un territoire non érigé en municipalité et le ministre décide que sa protection constitue un intérêt provincial.

ONTARIO REGULATION 11/06

made under the

ONTARIO HERITAGE ACT

Made: December 7, 2005

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Printed in *The Ontario Gazette*: February 11, 2006

MARINE ARCHAEOLOGICAL SITES

Marine archaeological sites

1. The following are prescribed as marine archaeological sites for the purposes of paragraph 3 of subsection 48 (1) of the Act:

1. The site of the shipwrecks of the "Hamilton" and the "Scourge", which is comprised of the water and land under water in Lake Ontario at the point of intersection of the meridian of longitude 79°18.57' west with the parallel of latitude 43°18.43' north.
2. The site of the shipwreck of the "Edmund Fitzgerald", which is comprised of the water and land under water in Lake Superior at the point of intersection of the meridian of longitude 85°6.6' west with the parallel of latitude 46°59.9' north.

Alternate distances

2. (1) The following alternate distances are prescribed for the purposes of subparagraphs 3 i and ii of subsection 48 (1) of the Act:

1. In the case of the site of the shipwrecks of the "Hamilton" and the "Scourge", a radius of 750 metres from the site.
2. In the case of the site of the shipwreck of the "Edmund Fitzgerald", a radius of 500 metres from the site.

(2) If an area that falls within a radius prescribed under subsection (1) is outside Ontario, paragraph 3 of subsection 48 (1) of the Act does not apply to that area.

RÈGLEMENT DE L'ONTARIO 11/06

pris en application de la

LOI SUR LE PATRIMOINE DE L'ONTARIO

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SITES ARCHÉOLOGIQUES MARINS

Sites archéologiques marins

1. Les sites suivants sont des sites archéologiques marins prescrits pour l'application de la disposition 3 du paragraphe 48 (1) de la Loi :

1. Le site des épaves du «Hamilton» et du «Scourge», qui est constitué de l'eau et du terrain immergé du lac Ontario se trouvant au point d'intersection situé par 79°18,57' de longitude ouest et 43°18,43' de latitude nord.
2. Le site de l'épave du «Edmund Fitzgerald», qui est constitué de l'eau et du terrain immergé du lac Supérieur se trouvant au point d'intersection situé par 85°6,6' de longitude ouest et 46°59,9' de latitude nord.

Autres distances

2. (1) Les autres distances suivantes sont prescrites pour l'application des sous-dispositions 3 i et ii du paragraphe 48 (1) de la Loi :

1. Dans le cas du site des épaves du «Hamilton» et du «Scourge», un rayon de 750 mètres du site.
 2. Dans le cas du site de l'épave du «Edmund Fitzgerald», un rayon de 500 mètres du site.
- (2) La disposition 3 du paragraphe 48 (1) de la Loi ne s'applique pas à une zone comprise dans le rayon prescrit au paragraphe (1), mais située à l'extérieur de l'Ontario.

06/06

NOTE: The Table of Regulations – Legislative History Overview and other tables related to regulations can be found at the e-Laws website (www.e-Laws.gov.on.ca) under Tables. Consolidated regulations may also be found at that site by clicking on Statutes and associated Regulations under Consolidated Law.

REMARQUE : On trouve le Sommaire de l'historique législatif des règlements et d'autres tables liées aux règlements sur le site Web Lois-en-ligne (www.lois-en-ligne.gouv.on.ca) en cliquant sur «Tables». On y trouve également les règlements codifiés en cliquant sur le lien Lois et règlements d'application sous la rubrique «Textes législatifs codifiés».

9

Publications under the Regulations Act Publications en vertu de la Loi sur les règlements

2006—02—18

ONTARIO REGULATION 12/06

made under the

TOBACCO TAX ACT

Made: January 30, 2006

Filed: January 31, 2006

Published on e-Laws: February 1, 2006

Printed in *The Ontario Gazette*: February 18, 2006

Amending O. Reg. 5/05

(Tobacco Tax Rates)

Note: Ontario Regulation 5/05 has not previously been amended.

1. Table 1 of Ontario Regulation 5/05 is amended by adding the following item:

| | | | |
|----|------------------|-----------|-----------|
| 2. | February 1, 2006 | \$0.12350 | \$0.12350 |
|----|------------------|-----------|-----------|

RÈGLEMENT DE L'ONTARIO 12/06

pris en application de la

LOI DE LA TAXE SUR LE TABAC

pris le 30 janvier 2006

déposé le 31 janvier 2006

publié sur le site Lois-en-ligne le 1^{er} février 2006

imprimé dans la *Gazette de l'Ontario* le 18 février 2006

modifiant le Règl. de l'Ont. 5/05

(Taux d'imposition du tabac)

Remarque : Le Règlement de l'Ontario 5/05 n'a pas été modifié antérieurement.

1. Le tableau 1 du Règlement de l'Ontario 5/05 est modifié par adjonction du poste suivant :

| | | | |
|----|------------------------------|------------|------------|
| 2. | 1 ^{er} février 2006 | 0,12350 \$ | 0,12350 \$ |
|----|------------------------------|------------|------------|

Made by:

Pris par :

Le ministre des Finances,

DWIGHT DUNCAN
Minister of Finance

Date made: January 30, 2006.

Pris le : 30 janvier 2006.

07/06

ONTARIO REGULATION 13/06

made under the

GREENBELT ACT, 2005

Made: February 3, 2006

Filed: February 3, 2006

Published on e-Laws: February 6, 2006

Printed in *The Ontario Gazette*: February 18, 2006

Amending O. Reg. 61/05

(Prescribed Applications, Matters, Proceedings and Policies for the Purposes of Subsection 24 (3) of the Act)

Note: Ontario Regulation 61/05 has not previously been amended.

1. Ontario Regulation 61/05 is amended by adding the following section:

Prescribed applications, matters, proceedings and policies

2.1 (1) An application, matter or proceeding described in subsection (2) is prescribed under clause 22 (1) (d) of the Act for the purposes of subsection 24 (3) of the Act if,

- (a) the application, matter or proceeding is commenced before December 16, 2004; and
- (b) no decision, within the meaning of section 3, was made with respect to the application, matter or proceeding before February 28, 2005.

(2) The applications, matters and proceedings referred to in subsection (1) are applications, matters and proceedings under section 17, 21 or 22 of the *Planning Act* relating to an official plan or an official plan amendment where the official plan or official plan amendment affects those areas of land in the Geographic Township of Markham, in the Town of Richmond Hill, in The Regional Municipality of York, designated as Parts 1 to 4, inclusive, on a plan known as the Plan of the Boundaries of Parts of The Rouge River Watershed Tributaries, filed on January 11, 2006, with the Office of the Surveyor General of Ontario in the Ministry of Natural Resources.

(3) The lands described in subsection (2) are deemed to be included in the Natural System, the Natural Heritage System and the Water Resource System, as set out in the Greenbelt Plan, and all of the policies of the Greenbelt Plan, as they read on February 28, 2005, apply to the lands described in subsection (2), and are prescribed under clause 22 (1) (d) of the Act for the purposes of subsection 24 (3) of the Act in relation to decisions made with respect to applications, matters or proceedings prescribed by subsection (1).

2. Section 3 of the Regulation is amended by striking out “sections 1 and 2” and substituting “sections 1, 2 and 2.1”.

07/06

NOTE: The Table of Regulations – Legislative History Overview and other tables related to regulations can be found at the e-Laws website (www.e-Laws.gov.on.ca) under Tables. Consolidated regulations may also be found at that site by clicking on Statutes and associated Regulations under Consolidated Law.

REMARQUE : On trouve le Sommaire de l'historique législatif des règlements et d'autres tables liées aux règlements sur le site Web Lois-en-ligne (www.lois-en-ligne.gouv.on.ca) en cliquant sur «Tables». On y trouve également les règlements codifiés en cliquant sur le lien Lois et règlements d'application sous la rubrique «Textes législatifs codifiés».

Publications under the Regulations Act Publications en vertu de la Loi sur les règlements

2006—02—25

ONTARIO REGULATION 14/06

made under the

EDUCATION ACT

Made: January 16, 2006

Approved: February 3, 2006

Filed: February 6, 2006

Published on e-Laws: February 7, 2006

Printed in *The Ontario Gazette*: February 25, 2006

Amending O. Reg. 399/05

(Calculation of Fees for Pupils for the 2005-2006 School Board Fiscal Year)

Note: Ontario Regulation 399/05 has not previously been amended.

1. (1) Paragraph 5 of subsection 3 (3) of Ontario Regulation 399/05 is amended by adding the following subparagraph:

iii.1 Add \$84,804 to the amount determined under subparagraph iii.

(2) Subparagraph 5 iv of subsection 3 (3) of the Regulation is amended by striking out “subparagraph iii” and substituting “subparagraph iii.1”.

(3) Subparagraph 8 v of subsection 3 (3) of the Regulation is amended by striking out “and” at the end of sub-subparagraph A, by adding “and” at the end of sub-subparagraph B and by adding the following sub-subparagraph:

C. the amount, if any, determined for the board under paragraph 5 of subsection 31 (1) of the grant regulation.

2. Subsection 5 (4) of the Regulation is revoked and the following substituted:

(4) This section does not apply in respect of a pupil,

(a) to whom subsection 49 (6) of the Act applies; or

(b) who was a pupil of a board for the purposes of Ontario Regulation 145/04.

RÈGLEMENT DE L'ONTARIO 14/06

pris en application de la

LOI SUR L'ÉDUCATION

pris le 16 janvier 2006

approuvé le 3 février 2006

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imprimé dans la *Gazette de l'Ontario* le 25 février 2006

modifiant le Règl. de l'Ont. 399/05

(Calcul des droits exigibles à l'égard des élèves pour l'exercice 2005-2006 des conseils scolaires)

Remarque : Le Règlement de l'Ontario 399/05 n'a pas été modifié antérieurement.

1. (1) La disposition 5 du paragraphe 3 (3) du Règlement de l'Ontario 399/05 est modifiée par adjonction de la sous-disposition suivante :

iii.1 Ajouter 84 804 \$ à la somme calculée en application de la sous-disposition iii.

(2) La sous-disposition 5 iv du paragraphe 3 (3) du Règlement est modifiée par substitution de «sous-disposition iii.1» à «sous-disposition iii».

(3) La sous-disposition 8 v du paragraphe 3 (3) du Règlement est modifiée par adjonction de la sous-sous-disposition suivante :

C. la somme éventuelle calculée pour le conseil en application de la disposition 5 du paragraphe 31 (1) du règlement sur les subventions.

2. Le paragraphe 5 (4) du Règlement est abrogé et remplacé par ce qui suit :

(4) Le présent article ne s'applique pas à l'égard de l'élève qui, selon le cas :

- a) est visé par le paragraphe 49 (6) de la Loi;
- b) était un élève d'un conseil pour l'application du Règlement de l'Ontario 145/04.

Made by:

Pris par :

Le ministre de l'Éducation,

GERARD KENNEDY
Minister of Education

Date made: January 16, 2006.

Pris le : 16 janvier 2006.

08/06

ONTARIO REGULATION 15/06

made under the

EDUCATION ACT

Made: February 3, 2006

Filed: February 6, 2006

Published on e-Laws: February 7, 2006

Printed in *The Ontario Gazette*: February 25, 2006

Amending O. Reg. 400/05

(Grants for Student Needs — Legislative Grants for the 2005-2006 School Board Fiscal Year)

Note: Ontario Regulation 400/05 has previously been amended. Those amendments are listed in the [Table of Regulations ... Legislative History Overview](#) which can be found at www.e-Laws.gov.on.ca.

1. (1) Subparagraph 3 i of section 18 of Ontario Regulation 400/05 is amended by adding “other than in a school operated by the Conseil scolaire de district catholique des Aurores boréales in the Township of Ignace” after “Take the number of pupils who were enrolled in a school operated by the board on October 31, 2005” in the portion before sub-subparagraph A.

(2) Section 18 of the Regulation is amended by adding the following paragraph:

4. In the case of the Conseil scolaire de district catholique des Aurores boréales, add \$104,000.

2. (1) Paragraph 3 of subsection 28 (2) of the Regulation is revoked and the following substituted:

3. Multiply by \$37,627.80 the number of elementary schools of the board in which pupils were enrolled in day school programs in the 2005-2006 school year, counting only those elementary schools described in subsection (2.1).

(2) Paragraph 3 of subsection 28 (2) of the Regulation is revoked and the following substituted:

6. Multiply by \$132,151.60 the number of secondary schools of the board in which pupils were enrolled in day school programs in the 2005-2006 school year, counting only those secondary schools described in subsection (2.2).

(3) Paragraph 8 of subsection 28 (2) of the Regulation is amended by striking out “\$86,745.90” and substituting “\$171,549.90”.

(4) Section 28 of the Regulation is amended by adding the following subsections:

(2.1) An elementary school is counted for the purposes of paragraph 3 of subsection (2) if it is an elementary school as defined in the Act that has been identified as an elementary school in accordance with the Instruction Guide, dated 2002, which is available electronically through the public access link at sfis.edu.gov.on.ca and in hard copy from the offices of the Education Finance Branch of the Ministry of Education, Mowat Block, 900 Bay Street, 21st Floor, Toronto, Ontario, M7A 1L2.

(2.2) A secondary school is counted for the purposes of paragraph 6 of subsection (2) if it is a secondary school as defined in the Act that has been identified as a secondary school in accordance with the Instruction Guide, dated 2002, which is available electronically through the public access link at sfis.edu.gov.on.ca and in hard copy from the offices of the Education Finance Branch of the Ministry of Education, Mowat Block, 900 Bay Street, 21st Floor, Toronto, Ontario, M7A 1L2.

3. Subsection 31 (1) of the Regulation is amended by adding the following paragraph:

5. In the case of the Upper Grand District School Board, \$455,642.

4. (1) Section 34 of the Regulation is amended by adding the following paragraph:

- 9.1 In the case of the Conseil scolaire de district catholique des Aurores boréales, add \$24,500 to the amount determined under paragraph 9.

(2) Paragraph 11 of section 34 of the Regulation is amended by adding “or 9.1, as the case may be,” after “paragraph 9”.

5. (1) Paragraph 40 of subsection 36 (9) of the Regulation is revoked and the following substituted:

40. Determine the amount of interest that the board has paid or for which it is liable in connection with the financing of urgent and high priority renewal projects, which are described in subsection (9.1), as follows:

- i. Determine the portion of the cost of urgent and high priority renewal projects, set out in Column 2 of Table 15 opposite the name of the board, that was incurred by the board in the 2004-2005 and 2005-2006 school board fiscal years for construction or renovation work that began on or after March 18, 2005.
- ii. Determine the portion of the amount determined under subparagraph i in respect of which the board incurred short-term interest.
- iii. Determine the amount of short-term interest incurred by the board in the 2004-2005 school board fiscal year in respect of the amount determined under subparagraph ii.
- iv. Take the lesser of,
 - A. the amount of short-term interest incurred by the board in the 2005-2006 fiscal year in respect of the amount determined under subparagraph ii, and
 - B. the amount of short-term interest that the board would incur in the 2005-2006 fiscal year in respect of the amount determined under subparagraph ii, if each amount borrowed were subject to an annual interest rate of not more than 0.13 per cent greater than the annual interest rate for three-month bankers' acceptances applicable at the time of borrowing.
- v. Determine the portion of the amount determined under subparagraph i in respect of which the board did not incur interest.
- vi. Determine the amount of short-term interest that the board would incur in respect of the amount determined under subparagraph v, if the full amount of each cost relating to an urgent and high priority renewal project were borrowed at an annual interest rate of 2.69 per cent.
- vii. Add the amounts, if any, determined under subparagraphs iii, iv and vi.

(2) Section 36 of the Regulation is amended by adding the following subsection:

- (9.1) For the purposes of paragraph 40 of subsection (9), an urgent and high priority renewal project,

- (a) is at a school of the board listed in Appendix B of the document entitled “*Good Places to Learn: Stage 1 Allocation of Funding*”, which is available in hard copy from the offices of the Education Finance Branch of the Ministry of Education, Mowat Block, 900 Bay Street, 21st Floor, Toronto, Ontario, M7A 1L2, and electronically by accessing the Ministry's FTP site, [ftp://ftp.edu.gov.on.ca/](http://ftp.edu.gov.on.ca/), the sfis folder and facilities-policy-review folder; and

(b) has been approved by the Minister on the basis that the project addresses an urgent and high repair need at the school.

(3) Subsection 36 (10) of the Regulation is revoked and the following substituted:

(10) The amount for the board for the fiscal year for new pupil places is determined as follows:

1. Determine the number of new elementary pupil places that the board reports, by August 31, 2005, were constructed by September 30, 2003 and financed in whole or in part with amounts calculated for the board under a predecessor of this subsection. For the purpose, a new pupil place shall be determined by the board in accordance with the Instruction Guide, dated 2002, which is available electronically through the public access link at sfis.edu.gov.on.ca and in hard copy from the offices of the Education Finance Branch of the Ministry of Education, Mowat Block, 900 Bay Street, 21st Floor, Toronto, Ontario, M7A 1L2. The board shall make the report on a form approved by the Minister.
2. Determine the number of new elementary pupil places that have been constructed by October 14, 2005, that are under construction on that date, or for which the board has awarded a tender for construction on or before that date.
3. Determine the number of new elementary pupil places that have been constructed by March 31, 2006, that are under construction on that date, or for which the board has awarded a tender for construction on or before that date.
4. Determine the construction costs that have been incurred by October 14, 2005 and reported by August 31, 2006 on a form specified by the Minister, for additions to elementary schools for permanent elementary pupil places in schools of the board, other than costs associated with instructional spaces to which loadings determined under subsection (16) apply.
5. Determine the amount that is payable in the 2005-2006 fiscal year if the amount determined under paragraph 4 is amortized over 25 years at an annual interest rate of 5.25 percent, with no compounding.
6. Determine the construction costs that have been incurred by March 31, 2006 and reported by August 31, 2006 on a form specified by the Minister, for additions to elementary schools for permanent elementary pupil places in schools of the board, other than costs associated with instructional spaces to which loadings determined under subsection (16) apply.
7. Determine the amount that is payable in the 2005-2006 fiscal year if the amount determined under paragraph 6 is amortized over 25 years at an annual interest rate of 5.25 percent, with no compounding.
8. Determine the leasing costs for elementary pupil places paid in the 2005-2006 fiscal year and reported by August 31, 2006 on a form specified by the Minister.
9. Determine the accommodation costs for temporary elementary pupil places paid in the 2005-2006 fiscal year and reported by August 31, 2006 on a form specified by the Minister, where the accommodation costs include debt service costs associated with financing accommodation costs but do not include amounts determined under paragraph 8.
10. Total the amounts determined under paragraphs 8 and 9.
11. Multiply the number determined under paragraph 1 by the pre-September, 2005, benchmark area requirement per pupil of 9.29 metres squared.
12. Multiply the product determined under paragraph 11 by the pre-September, 2004, benchmark construction cost of \$118.40 per metre squared.
13. Multiply the amount determined under paragraph 12 by the geographic adjustment factor set out in Column 2 of Table 14 opposite the name of the board.
14. Subtract the number determined under paragraph 1 from the number determined under paragraph 2.
15. Multiply the number determined under paragraph 14 by the benchmark area requirement per pupil of 9.7 metres squared.
16. Multiply the product determined under paragraph 15 by the benchmark construction cost of \$120.77 per metre squared.
17. Multiply the amount determined under paragraph 16 by the geographic adjustment factor set out in Column 3 of Table 14 opposite the name of the board.
18. Subtract the number determined under paragraph 2 from the number determined under paragraph 3.
19. Multiply the number determined under paragraph 18 by the benchmark area requirement per pupil of 9.7 metres squared.
20. Multiply the product determined under paragraph 19 by the benchmark construction cost of \$120.77 per metre squared.
21. Multiply the amount determined under paragraph 20 by the geographic adjustment factor set out in Column 3 of Table 14 opposite the name of the board.

23. Total the amounts determined under paragraphs 21 and 22.
24. Multiply the amount determined under paragraph 23 by 0.37.
25. Total the amounts determined under paragraphs 5, 10, 13, 17 and 24.
26. Total the numbers, if any, determined in respect of the board under the following paragraphs:
 - i. Paragraph 2 of subsection (18).
 - ii. Paragraph 2 of subsection (29).
 - iii. Paragraph 4 of subsection (32).
27. Subtract the number determined under paragraph 26 from the elementary capacity for the board determined under subsection 37 (15) of the 2004-2005 grant regulation.
28. Add to the number determined under paragraph 27 the total of the numbers, if any, determined in respect of the board under the following provisions:
 - i. Paragraph 2 of subsection (21).
 - ii. Paragraph 4 of subsection (26).
 - iii. Paragraph 5 of subsection (34).
 - iv. Subsection (36).
 - v. Paragraph 5 of subsection (39).
29. Subtract the number determined under paragraph 28 from the 2005-2006 day school average daily enrolment of elementary school pupils of the board. If the difference is negative, the number determined under this paragraph is deemed to be zero.
30. Add to the number determined under paragraph 29 the sum of the numbers, if any, each of which is the number of the board's new pupil places to meet elementary enrolment pressures as calculated for the purposes of determining the amount for the board for new pupil places for a prior school board fiscal year.
31. Add to the number determined under paragraph 30 the sum of the numbers, if any, of new elementary pupil places that are needed for the purpose of accounting for the capital transitional adjustment, set out in Column 4 of Table 15.1 opposite the name of the board.
32. Subtract the number determined in respect of the board under paragraph 2 of subsection 37 (10) of the 2003-2004 grant regulation from the number determined in respect of the board under paragraph 3.2 of that subsection of that regulation. If the difference is negative, the number determined under this paragraph is deemed to be zero.
33. Total the numbers determined under paragraphs 31 and 32.
34. Add to the number determined under paragraph 33 the number, if any, of the board's new pupil places in respect of its elementary schools for which the cost of repair is prohibitive as calculated for the purposes of determining the amount for the board for new pupil places for a prior school board fiscal year.
35. If the number determined under paragraph 29 is zero, add to the number determined under paragraph 34 the number, if any, of the board's new pupil places to meet elementary enrolment pressures as determined under subsection (11).
36. Take the lesser of the numbers determined under,
 - i. paragraph 1, and
 - ii. paragraph 34 or 35, as the case may be.
37. Subtract the number determined under paragraph 36 from the number determined under paragraph 34 or 35, as the case may be.
38. Multiply the number determined under paragraph 36 by the pre-September, 2005, benchmark area requirement per pupil of 9.29 metres squared.
39. Multiply the product determined under paragraph 38 by the pre-September, 2004, benchmark construction cost of \$118.40 per metre squared.
40. Multiply the amount determined under paragraph 39 by the geographic adjustment factor set out in Column 2 of Table 14 opposite the name of the board.
41. Multiply the number determined under paragraph 37 by the pre-September, 2005, benchmark area requirement per pupil of 9.29 metres squared.

42. Multiply the product determined under paragraph 41 by the benchmark construction cost of \$120.77 per metre squared.
43. Multiply the amount determined under paragraph 42 by the geographic adjustment factor set out in Column 3 of Table 14 opposite the name of the board.
44. Total the amounts determined under paragraphs 40 and 43.
45. For each elementary school of the board, determine the number of new elementary pupil places that are counted for the purpose of accounting for smaller primary class sizes, as follows:
 - i. Determine the 2005-2006 day school average daily enrolment of elementary school pupils of the board counting only pupils enrolled in the school.
 - ii. Subtract the 2004-2005 reported capacity of the school from the number determined under subparagraph i. If the difference is negative, the number determined under this subparagraph is deemed to be zero.
 - iii. Subtract the 2005-2006 reported elementary capacity of the school from the number determined under subparagraph i. If the difference is negative, the number determined under this subparagraph is deemed to be zero.
 - iv. Subtract the number determined under subparagraph ii from the number determined under subparagraph iii. If the difference is negative, the number determined under this subparagraph is deemed to be zero.
46. Total the numbers determined under paragraph 45 for all elementary schools of the board.
47. For each elementary school of the board for which new elementary pupil places are counted under paragraph 45, take the number of those pupil places that the Minister confirms, on a reasonable basis, can be provided by the board by any or all of the following methods:
 - i. Using other pupil places available in the school.
 - ii. Using other pupil places available in a nearby school.
 - iii. Re-drawing the boundaries of the attendance areas of its elementary schools.
 - iv. Making program changes.
48. Total the numbers determined under paragraph 47.
49. Subtract the number determined under paragraph 48 from the number determined under paragraph 46.
50. Multiply the number determined under paragraph 49 by the benchmark area requirement per pupil of 9.7 metres squared.
51. Multiply the product determined under paragraph 50 by the benchmark construction cost of \$120.77 per metre squared.
52. Multiply the amount determined under paragraph 51 by the geographic adjustment factor set out in Column 3 of Table 14 opposite the name of the board.
53. For boards that meet both of the conditions set out in subsection (10.1), determine the 2005-2006 day school average daily enrolment of elementary school pupils of the board.
54. Determine the adjusted elementary capacity for the 2005-2006 grant regulation as follows:
 - i. Identify the elementary facilities that were determined to be elementary facilities for the purposes of section 37 of the 2004-2005 grant regulation.
 - ii. Apply the loadings determined under subsection (16) to the instructional spaces, as categorized under that subsection, of the facilities identified in subparagraph i.
 - iii. Total the numbers determined under subparagraph ii.
 - iv. Apply the adjustments set out in subsections (18), (21), (26), (29), (32), (34), (36) and (39) to the number determined under subparagraph iii.
55. Subtract the number determined under paragraph 54 from the number determined under paragraph 53. If the difference is negative, the number determined under this paragraph is deemed to be zero.
56. Add to the number determined under paragraph 55 the sum of the numbers, if any, each of which is the number of the board's new pupil places to meet elementary enrolment pressures as calculated for the purposes of determining the amount for the board for new pupil places for a prior school board fiscal year.
57. Add to the number determined under paragraph 56 the sum of the numbers, if any, of new elementary pupil places that are needed for the purpose of accounting for the capital transitional adjustment, set out in Column 4 of Table 15.1 opposite the name of the board.

- grant regulation from the number determined in respect of the board under paragraph 3.2 of that subsection of that regulation. If the difference is negative, the number determined under this paragraph is deemed to be zero.
59. Total the numbers determined under paragraphs 57 and 58.
 60. Add to the number determined under paragraph 59 the number, if any, of the board's new pupil places in respect of its elementary schools for which the cost of repair is prohibitive as calculated for the purposes of determining the amount for the board for new pupil places for a prior school board fiscal year.
 61. If the number determined under paragraph 55 is zero, add to the number determined under paragraph 60 the number, if any, of the board's new pupil places to meet elementary enrolment pressures as determined under subsection (11).
 62. Take the lesser of the numbers determined under,
 - i. paragraph 1, and
 - ii. paragraph 60 or 61, as the case may be.
 63. Subtract the number determined under paragraph 62 from the number determined under paragraph 60 or 61, as the case may be.
 64. Multiply the number determined under paragraph 62 by the pre-September, 2005, benchmark area requirement per pupil of 9.29 metres squared.
 65. Multiply the product determined under paragraph 64 by the pre-September, 2004, benchmark construction cost of \$118.40 per metre squared.
 66. Multiply the amount determined under paragraph 65 by the geographic adjustment factor set out in Column 2 of Table 14 opposite the name of the board.
 67. Multiply the number determined under paragraph 63 by the benchmark area requirement per pupil of 9.7 metres squared.
 68. Multiply the product determined under paragraph 67 by the benchmark construction cost of \$120.77 per metre squared.
 69. Multiply the amount determined under paragraph 68 by the geographic adjustment factor set out in Column 3 of Table 14 opposite the name of the board.
 70. Total the amounts determined under paragraphs 66 and 69.
 71. Subtract the amount determined under paragraph 44 from the amount determined under paragraph 70.
 72. Subtract the amount determined under paragraph 71 from the amount determined under paragraph 52. If the difference is negative, the number determined under this paragraph is deemed to be zero.
 73. Add the amounts determined under paragraphs 44, 71 and 72.
 74. For boards that do not meet both of the conditions set out in subsection (10.1), add the amounts determined under paragraphs 44 and 52.
 75. Determine the number of new secondary pupil places that the board reports, by August 31, 2005, were constructed by September 30, 2003 and financed in whole or in part with amounts calculated for the board under a predecessor of this subsection. For the purpose, a new pupil place shall be determined by the board in accordance with the Instruction Guide, dated 2002, which is available electronically through the public access link at sfis.edu.gov.on.ca and in hard copy from the offices of the Education Finance Branch of the Ministry of Education, Mowat Block, 900 Bay Street, 21st Floor, Toronto, Ontario, M7A 1L2. The board shall make the report on a form approved by the Minister.
 76. Determine the number of new secondary pupil places that have been constructed by October 14, 2005, that are under construction on that date, or for which the board has awarded a tender for construction on or before that date.
 77. Determine the number of new secondary pupil places that have been constructed by March 31, 2006, that are under construction on that date, or for which the board has awarded a tender for construction on or before that date.
 78. Determine the construction costs that have been incurred by October 14, 2005 and reported by August 31, 2006 on a form specified by the Minister, for additions to secondary schools for permanent secondary pupil places in schools of the board, other than costs associated with instructional spaces to which loadings determined under subsection (16) apply.
 79. Determine the amount that is payable in the 2005-2006 fiscal year if the amount determined under paragraph 78 is amortized over 25 years at an annual interest rate of 5.25 percent, with no compounding.
 80. Determine the construction costs that have been incurred by March 31, 2006 and reported by August 31, 2006 on a form specified by the Minister, for additions to secondary schools for permanent secondary pupil places in schools of the board, other than costs associated with instructional spaces to which loadings determined under subsection (16) apply.

81. Determine the amount that is payable in the 2005-2006 fiscal year if the amount determined under paragraph 80 is amortized over 25 years at an annual interest rate of 5.25 percent, with no compounding.
82. Determine the leasing costs for secondary pupil places paid in the 2005-2006 fiscal year and reported by August 31, 2006 on a form specified by the Minister.
83. Determine the accommodation costs for temporary secondary pupil places paid in the 2005-2006 fiscal year and reported by August 31, 2006 on a form specified by the Minister, where the accommodation costs include debt service costs associated with financing accommodation costs but do not include amounts determined under paragraph 82.
84. Total the amounts determined under paragraphs 82 and 83.
85. Multiply the number determined under paragraph 75 by the benchmark area requirement per pupil of 12.07 metres squared.
86. Multiply the product determined under paragraph 85 by the pre-September, 2004, benchmark construction cost of \$129.17 per metre squared.
87. Multiply the amount determined under paragraph 86 by the geographic adjustment factor set out in Column 2 of Table 14 opposite the name of the board.
88. Subtract the number determined under paragraph 75 from the number determined under paragraph 76.
89. Multiply the number determined under paragraph 88 by the benchmark area requirement per pupil of 12.07 metres squared.
90. Multiply the product determined under paragraph 89 by the benchmark construction cost of \$131.75 per metre squared.
91. Multiply the amount determined under paragraph 90 by the geographic adjustment factor set out in Column 3 of Table 14 opposite the name of the board.
92. Subtract the number determined under paragraph 76 from the number determined under paragraph 77.
93. Multiply the number determined under paragraph 92 by the benchmark area requirement per pupil of 12.07 metres squared.
94. Multiply the product determined under paragraph 93 by the benchmark construction cost of \$131.75 per metre squared.
95. Multiply the amount determined under paragraph 94 by the geographic adjustment factor set out in Column 3 of Table 14 opposite the name of the board.
96. Subtract the amount determined under paragraph 79 from the amount determined under paragraph 81.
97. Total the amounts determined under paragraphs 95 and 96.
98. Multiply the amount determined under paragraph 97 by 0.37.
99. Total the amounts determined under paragraphs 79, 84, 87, 91 and 98.
100. Determine the 2005-2006 day school average daily enrolment of secondary school pupils of the board.
101. Subtract the secondary capacity for the board as determined under subsection (15) from the number determined under paragraph 100. If the difference is negative, the number determined under this paragraph is deemed to be zero.
102. Add to the number determined under paragraph 101 the sum of the numbers, if any, each of which is the number of the board's new pupil places to meet secondary enrolment pressures as calculated for the purposes of determining the amount for the board for new pupil places for a prior school board fiscal year.
103. Add to the number determined under paragraph 102 the sum of the numbers, if any, of new secondary pupil places that are needed for the purpose of accounting for the capital transitional adjustment set out in Column 5 of Table 15.1 opposite the name of the board.
104. Subtract the number determined in respect of the board under paragraph 17 of subsection 37 (10) of the 2003-2004 grant regulation from the number determined in respect of the board under paragraph 18.2 of that subsection of that regulation. If the difference is negative, the number determined under this paragraph is deemed to be zero.
105. Total the numbers determined under paragraphs 103 and 104.
106. Add to the number determined under paragraph 105 the number, if any, of the board's new pupil places in respect of its secondary schools for which the cost of repair is prohibitive as calculated for the purposes of determining the amount for the board for new pupil places for a prior school board fiscal year.
107. If the number determined under paragraph 101 is zero, add to the number determined under paragraph 106 the number, if any, of the board's new pupil places to meet secondary enrolment pressures as determined under subsection (13).

108. Take the lesser of the numbers determined under,
 - i. paragraph 75, and
 - ii. paragraph 106 or 107, as the case may be.
109. Subtract the number determined under paragraph 108 from the number determined under paragraph 106 or 107, as the case may be.
110. Multiply the number determined under paragraph 108 by the benchmark area requirement per pupil of 12.07 metres squared.
111. Multiply the product determined under paragraph 110 by the pre-September, 2004, benchmark construction cost of \$129.17 per metre squared.
112. Multiply the amount determined under paragraph 111 by the geographic adjustment factor set out in Column 2 of Table 14 opposite the name of the board.
113. Multiply the number determined under paragraph 109 by the benchmark area requirement per pupil of 12.07 metres squared.
114. Multiply the product determined under paragraph 113 by the benchmark construction cost of \$131.75 per metre squared.
115. Multiply the amount determined under paragraph 114 by the geographic adjustment factor set out in Column 3 of Table 14 opposite the name of the board.
116. Total the amounts determined under paragraphs 112 and 115.
117. Total the amounts determined under paragraphs 25 and 99.
118. Add the amount determined in respect of the board under paragraph 73 or 74, as the case may be, to the amount determined in respect of the board under paragraph 116.
119. Add to the amount determined under paragraph 118 the amount, if any, calculated in respect of the board under paragraph 35 of subsection 37 (10) of the 2004-2005 grant regulation.
120. Take the lesser of the amounts determined under paragraphs 117 and 119.
121. Determine the annual debt service costs for the 2005-2006 fiscal year for capital projects funded, in whole or in part, with amounts calculated under this subsection or a predecessor of this subsection for a prior fiscal year commencing after August 31, 1998, where,
 - i. debt means only long-term debt and does not include any debt described in section 37 or any debt relating to the amount determined under subsection (42), and
 - ii. capital projects means projects for purposes established under section 1 of Ontario Regulation 446/98 (Reserve Funds) made under the Act.
122. Subtract the amount determined under paragraph 120 from the amount determined under paragraph 119. If the difference is negative, the number determined under this paragraph is deemed to be zero.
123. Subtract the amount determined under paragraph 120 from the amount determined under paragraph 121. If the difference is negative, the number determined under this paragraph is deemed to be zero.
124. Take the lesser of the amounts determined under paragraphs 122 and 123.
125. Total the amounts determined under paragraphs 120 and 124.

(4) Section 36 of the Regulation is amended by adding the following subsection:

(10.1) For the purposes of paragraphs 53 and 74 of subsection (10), the conditions are:

1. The quotient obtained when the 2005-2006 day school average daily enrolment of elementary school pupils of the board is divided by the total of the 2005-2006 reported elementary capacities for schools of the board is greater than or equal to 0.9.
2. The projected day school average daily enrolment of elementary school pupils of the board for each of the ten school board fiscal years following the 2005-2006 fiscal year, as reported by the board and approved by the Minister, exceeds the number determined under paragraph 28 of subsection (10).

(5) Subsection 36 (15) of the Regulation is revoked and the following substituted:

(15) For the purposes of paragraph 101 of subsection (10), the secondary capacity for the board is the secondary capacity determined for the board under the 2004-2005 grant regulation subject to the adjustments set out in subsections (19), (22), (27), (30), (33), (35), (37) and (41).

(6) Subsection 36 (24) of the Regulation is amended by striking out “Table 12 of the 2004-2005 grant regulation” and substituting “Table 15.1”.

(7) Subsection 36 (25) of the Regulation is amended by striking out “Table 12 of the 2004-2005 grant regulation” and substituting “Table 15.1”.

(8) Paragraph 2 of subsection 36 (42) of the Regulation is amended by adding “pre-September, 2005” before “benchmark area requirement”.

(9) Subsection 36 (43) of the Regulation is revoked and the following substituted:

(43) For the purposes of paragraph 16 of subsection (3) and paragraph 14 of subsection (9), the capacity of an elementary school is determined by applying the loadings determined under subsection 37 (16) of the 2004-2005 grant regulation to the instructional spaces of the school, as categorized under that subsection, and multiplying the result by 0.9631.

(10) Subsection 36 (45) of the Regulation is amended by adding the following definition:

“2005-2006 reported elementary capacity” means, in respect of an elementary school operated by a board, the school capacity as reported in Appendix C to the board’s 2005-2006 financial statements prepared and submitted to the Ministry under the Act; (“capacité d’accueil à l’élémentaire déclarée pour 2005-2006”)

6. (1) Paragraph 12 of subsection 40 (5) of the Regulation is amended by adding the following subparagraph:

i.1 Add \$84,804 to the amount determined under subparagraph i.

(2) Subparagraph 12 ii of subsection 40 (5) of the Regulation is amended by striking out “subparagraph i” and substituting “subparagraph i.1”.

(3) Subparagraph 26 iv of subsection 40 (5) of the Regulation is amended by striking out “Table 20” and substituting “Table 5”.

(4) Paragraph 33 of subsection 40 (5) of the Regulation is amended by striking out “and” at the end of subparagraph ii, by adding “and” at the end of subparagraph iii and by adding the following subparagraph:

iv. in the case of the Upper Grand District School Board, \$455,642.

7. (1) Sub-subparagraph 1 i A of subsection 46 (3) of the Regulation is amended by striking out “240 (5)” and substituting “240 (4)”.

(2) Sub-subparagraph 1 ii A of subsection 46 (3) of the Regulation is amended by striking out “240 (5)” and substituting “240 (4)”.

8. (1) Item 13 of Table 3 of the Regulation is revoked and the following substituted:

| | | | | | | | | |
|-----|---|------|--------------|--|------------------|---|---|----------|
| 13. | Wellington Catholic District School Board | 3031 | Sacred Heart | | Wellington North | 0 | 0 | \$14,313 |
|-----|---|------|--------------|--|------------------|---|---|----------|

(2) Table 3 of the Regulation is amended by adding the following items:

| | | | | | | | | |
|-----|---|------|----------------------------|-----------|-----------------|----------|---------|-----------|
| 18. | Huron Perth Catholic District School Board | 3433 | St. Mary’s Separate School | | Perth East | 0 | 0 | \$167,098 |
| 19. | Huron Perth Catholic District School Board | 3145 | St. Joseph Separate School | | Central Huron | 0 | 0 | \$28,780 |
| 20. | Conseil scolaire de district catholique de l’Est ontarien | 3612 | | Le Relais | North Glengarry | \$26,194 | \$4,621 | \$30,827 |

| | | | | | | | | | |
|----|--|-------|----------------------|---|-------------|-----------|----------|-----------|-----------|
| 5. | Conseil de district des écoles publiques de langue française n° 59 | 10394 | | École secondaire publique le Sommet | Hawkesbury | \$14,082 | \$2,484 | \$507,463 | \$108,038 |
| 6. | Conseil de district des écoles publiques de langue française n° 59 | 10575 | | École s.p. Marc Garneau | Quinte West | \$52,747 | \$9,305 | \$672,975 | \$99,919 |
| 7. | Conseil de district des écoles publiques de langue française n° 59 | 10658 | | Centre Scolaire Catholique Jeanne-Lajoie Secondaire | Pembroke | 0 | 0 | \$505,649 | \$98,876 |
| 8. | Conseil scolaire de district du Centre Sud-Ouest | 10710 | Carrefour des Jeunes | | Brampton | 0 | 0 | \$49,120 | \$8,534 |
| 9. | Conseil scolaire de district catholique des Aurores boréales | 10740 | | École secondaire catholique de La Vérendrye | Thunder Bay | \$126,689 | \$22,348 | \$669,873 | \$100,038 |

(2) Table 4 of the Regulation is amended by adding the following items:

| | | | | | | | | | |
|-----|---|-------|----------------------------|---|-----------------|----------|----------|-----------|----------|
| 10. | Huron Perth Catholic District School Board | 10764 | St. Joseph Separate School | | Central Huron | \$18,652 | \$3,128 | \$22,251 | \$8,575 |
| 11. | Conseil scolaire de district catholique de l'Est ontarien | 10724 | Ange Gardien | | South Glengarry | \$41,205 | \$6,662 | \$23,524 | 0 |
| 12. | Conseil scolaire de district catholique de l'Est ontarien | 10725 | | Le Relais | North Glengarry | \$68,263 | \$11,450 | \$31,437 | 0 |
| 13. | Conseil scolaire de district catholique du Nouvel-Ontario | 10618 | | École secondaire catholique Jeunesse-Nord | Blind River | \$48,558 | \$8,144 | \$262,996 | \$48,495 |

10. (1) Item 7 of Table 5 of the Regulation is revoked and the following substituted:

| | | |
|----|--------------------------------|-------|
| 7. | Lakehead District School Board | 7,770 |
|----|--------------------------------|-------|

(2) Item 39 of Table 5 of the Regulation is revoked and the following substituted:

| | | |
|-----|---|---------|
| 39. | Superior North Catholic District School Board | 101,660 |
|-----|---|---------|

(3) Item 41 of Table 5 of the Regulation is revoked and the following substituted:

| | | |
|-----|--|--------|
| 41. | Huron Perth Catholic District School Board | 99,543 |
|-----|--|--------|

(4) Item 63 of Table 5 of the Regulation is revoked and the following substituted:

| | | |
|-----|--|---------|
| 63. | Conseil scolaire de district du Centre Sud-Ouest | 318,766 |
|-----|--|---------|

11. Item 33 of Table 11 of the Regulation is revoked and the following substituted:

| | | |
|-----|--|--------|
| 33. | Huron Perth Catholic District School Board | 43,405 |
|-----|--|--------|

12. Item 33 of Table 12 of the Regulation is revoked and the following substituted:

| | | | | | |
|-----|--|-------|---------|---------|-------|
| 33. | Huron Perth Catholic District School Board | 0.00% | 100.00% | 100.00% | 0.00% |
|-----|--|-------|---------|---------|-------|

13. Table 15 of the Regulation is revoked and the following substituted:

TABLE/TABLEAU 15

GOOD PLACES TO LEARN — MAXIMUM STAGE 1 ALLOCATIONS/LIEUX PROPICES

À L'APPRENTISSAGE — ALLOCATIONS MAXIMALES DE LA PREMIÈRE PHASE

| Item/Point | Column/Colonne 1 | Column/Colonne 2 |
|------------|--|---|
| | Name of Board/Nom du conseil | Allocation to Address Urgent and High Priority Projects/Somme liée aux besoins urgents et importants \$ |
| 1. | District School Board Ontario North East | 5,600,507 |
| 2. | Algoma District School Board | 8,566,032 |
| 3. | Rainbow District School Board | 11,348,912 |
| 4. | Near North District School Board | 11,422,809 |
| 5. | Keewatin-Patricia District School Board | 4,196,161 |
| 6. | Rainy River District School Board | 1,072,658 |
| 7. | Lakehead District School Board | 5,722,015 |
| 8. | Superior-Greenstone District School Board | 1,498,725 |
| 9. | Bluewater District School Board | 14,384,686 |
| 10. | Avon Maitland District School Board | 15,736,931 |
| 11. | Greater Essex County District School Board | 27,319,674 |
| 12. | Lambton Kent District School Board | 13,930,892 |
| 13. | Thames Valley District School Board | 41,210,971 |
| 14. | Toronto District School Board | 175,426,757 |
| 15. | Durham District School Board | 34,178,196 |
| 16. | Kawartha Pine Ridge District School Board | 20,046,679 |
| 17. | Trillium Lakelands District School Board | 5,818,110 |
| 18. | York Region District School Board | 27,532,179 |
| 19. | Simcoe County District School Board | 33,557,187 |
| 20. | Upper Grand District School Board | 15,277,490 |
| 21. | Peel District School Board | 53,515,740 |
| 22. | Halton District School Board | 20,243,575 |
| 23. | Hamilton-Wentworth District School Board | 34,103,412 |
| 24. | District School Board of Niagara | 49,974,365 |
| 25. | Grand Erie District School Board | 19,857,897 |
| 26. | Waterloo Region District School Board | 24,732,097 |
| 27. | Ottawa-Carleton District School Board | 47,997,615 |
| 28. | Upper Canada District School Board | 10,847,832 |
| 29. | Limestone District School Board | 23,041,672 |
| 30. | Renfrew County District School Board | 8,592,082 |
| 31. | Hastings and Prince Edward District School Board | 17,758,146 |
| 32. | Northeastern Catholic District School Board | 593,601 |
| 33. | Nipissing-Parry Sound Catholic District School Board | 2,910,248 |
| 34. | Huron-Superior Catholic District School Board | 3,534,484 |
| 35. | Sudbury Catholic District School Board | 6,629,471 |
| 36. | Northwest Catholic District School Board | 242,004 |
| 37. | Kenora Catholic District School Board | 389,401 |
| 38. | Thunder Bay Catholic District School Board | 5,609,488 |
| 39. | Superior North Catholic District School Board | 1,444,496 |

| Item/Point | Column/Colonne 1 | Column/Colonne 2 |
|------------|--|---|
| | Name of Board/Nom du conseil | Allocation to Address Urgent and High Priority Projects/Somme liée aux besoins urgents et importants \$ |
| 40. | Bruce-Grey Catholic District School Board | 1,451,485 |
| 41. | Huron Perth Catholic District School Board | 1,120,758 |
| 42. | Windsor-Essex Catholic District School Board | 8,094,232 |
| 43. | English-language Separate District School Board No. 38 | 5,753,149 |
| 44. | St. Clair Catholic District School Board | 3,943,656 |
| 45. | Toronto Catholic District School Board | 39,166,136 |
| 46. | Peterborough Victoria Northumberland and Clarington Catholic District School Board | 2,272,590 |
| 47. | York Catholic District School Board | 10,423,811 |
| 48. | Dufferin Peel Catholic District School Board | 13,249,338 |
| 49. | Simcoe Muskoka Catholic District School Board | 6,079,445 |
| 50. | Durham Catholic District School Board | 2,785,579 |
| 51. | Halton Catholic District School Board | 1,557,316 |
| 52. | Hamilton-Wentworth Catholic District School Board | 7,963,970 |
| 53. | Wellington Catholic District School Board | 1,461,091 |
| 54. | Waterloo Catholic District School Board | 6,082,548 |
| 55. | Niagara Catholic District School Board | 17,271,446 |
| 56. | Brant Haldimand Norfolk Catholic District School Board | 3,736,736 |
| 57. | Eastern Ontario Catholic District School Board | 6,219,937 |
| 58. | Ottawa-Carleton Catholic District School Board | 19,644,533 |
| 59. | Renfrew County Catholic District School Board | 2,319,798 |
| 60. | Algonquin and Lakeshore Catholic District School Board | 5,520,784 |
| 61. | Conseil scolaire de district du Nord-Est de l'Ontario | 387,631 |
| 62. | Conseil scolaire de district du Grand Nord de l'Ontario | 2,556,615 |
| 63. | Conseil scolaire de district du Centre Sud-Ouest | 7,607,684 |
| 64. | Conseil de district des écoles publiques de langue française n° 59 | 6,274,889 |
| 65. | Conseil scolaire de district catholique des Grandes Rivières | 5,044,082 |
| 66. | Conseil scolaire de district catholique Franco-Nord | 3,572,837 |
| 67. | Conseil scolaire de district catholique du Nouvel-Ontario | 7,658,633 |
| 68. | Conseil scolaire de district catholique des Aurores boréales | 538,819 |
| 69. | Conseil scolaire de district des écoles catholiques du Sud-Ouest | 3,964,416 |
| 70. | Conseil scolaire de district catholique Centre-Sud | 6,572,429 |
| 71. | Conseil scolaire de district catholique de l'Est ontarien | 11,052,079 |
| 72. | Conseil scolaire de district catholique du Centre-Est de l'Ontario | 7,471,767 |

14. The Regulation is amended by adding the following Table:

TABLE/TABLEAU 15.1

CAPITAL TRANSITIONAL ADJUSTMENT/REDRESSEMENT TEMPORAIRE DES IMMOBILISATIONS

| Item/Point | Column/Colonne 1 | Column/Colonne 2 | Column/Colonne 3 | Column/Colonne 4 | Column/Colonne 5 |
|------------|---|---|--|--|---|
| | Name of Board/Nom du conseil | Municipality or Former municipality/ Municipalité ou ancienne municipalité | As that municipality or former municipality existed on/Telle que cette municipalité ou ancienne municipalité existait le | Pupil Places — Elementary/Places à l'élémentaire | Pupil Places — Secondary/Places au secondaire |
| 1. | Conseil scolaire de district catholique Centre-Sud | Cambridge | September 1, 2003/ 1 ^{er} septembre 2003 | | 600 |
| 2. | Conseil scolaire de district catholique Centre-Sud | York | September 1, 2003/ 1 ^{er} septembre 2003 | | 700 |
| 3. | Conseil scolaire de district catholique de l'Est ontarien | North Glengarry | September 1, 2003/ 1 ^{er} septembre 2003 | 400 | 500 |
| 4. | Conseil scolaire de district catholique de l'Est ontarien | Clarence-Rockland | September 1, 2005/ 1 ^{er} septembre 2005 | 240 | |

| Item/ Point | Column/Colonne 1 | Column/Colonne 2 | Column/Colonne 3 | Column/Colonne 4 | Column/Colonne 5 |
|----------------|--|---|--|--|---|
| | Name of Board/Nom du conseil | Municipality or Former municipality/ Municipalité ou ancienne municipalité | As that municipality or former municipality existed on/Telle que cette municipalité ou ancienne municipalité existait le | Pupil Places — Elementary/Places à l'élémentaire | Pupil Places — Secondary/Places au secondaire |
| 5. | Conseil scolaire de district catholique des Aurores boréales | Thunder Bay | September 1, 2003/ 1 ^{er} septembre 2003 | | 540 |
| 6. | Conseil scolaire de district catholique des Grandes Rivières | Cochrane | September 1, 2003/ 1 ^{er} septembre 2003 | 300 | 500 |
| 7. | Conseil scolaire de district catholique du Centre-Est de l'Ontario | Carleton Place | September 1, 2003/ 1 ^{er} septembre 2003 | 300 | |
| 8. | Conseil scolaire de district catholique du Centre-Est de l'Ontario | City of/Cité de Trenton | December 31, 1997/ 31 décembre 1997 | 300 | |
| 9. | Conseil scolaire de district catholique du Centre-Est de l'Ontario | Ottawa | September 1, 2003/ 1 ^{er} septembre 2003 | | 600 |
| 10. | Conseil scolaire de district catholique du Centre-Est de l'Ontario | Pembroke | September 1, 2003/ 1 ^{er} septembre 2003 | 500 | 500 |
| 11. | Conseil scolaire de district catholique du Centre-Est de l'Ontario | Brockville | September 1, 2004/ 1 ^{er} septembre 2004 | 300 | 170 |
| 12. | Conseil scolaire de district catholique du Nouvel-Ontario | Blind River | September 1, 2003/ 1 ^{er} septembre 2003 | | 500 |
| 13. | Conseil scolaire de district catholique du Nouvel-Ontario | Chapleau | September 1, 2004/ 1 ^{er} septembre 2004 | | 500 |
| 14. | Conseil scolaire de district catholique du Nouvel-Ontario | Michipicoten | September 1, 2005/ 1 ^{er} septembre 2005 | | 115 |
| 15. | Conseil scolaire de district des écoles catholiques du Sud-Ouest | Owen Sound | September 1, 2003/ 1 ^{er} septembre 2003 | 300 | 500 |
| 16. | Conseil scolaire de district des écoles catholiques du Sud-Ouest | St. Thomas | September 1, 2005/ 1 ^{er} septembre 2005 | 250 | |
| 17. | Conseil de district des écoles publiques de langue française n° 59 | City of/Cité de Cumberland | December 31, 2000/ 31 décembre 2000 | | 700 |
| 18. | Conseil de district des écoles publiques de langue française n° 59 | Town of Vankleek Hill | December 31, 1997/ 31 décembre 1997 | | 500 |
| 19. | Conseil de district des écoles publiques de langue française n° 59 | City of/Cité d'Ottawa | December 31, 2000/ 31 décembre 2000 | | 500 |
| 20. | Conseil de district des écoles publiques de langue française n° 59 | Ottawa | September 1, 2005/ 1 ^{er} septembre 2005 | | 500 |
| 21. | Conseil de district des écoles publiques de langue française n° 59 | Casselman | September 1, 2004/ 1 ^{er} septembre 2004 | 200 | 600 |
| 22. | Conseil scolaire de district du Centre Sud-Ouest | Brampton | September 1, 2003/ 1 ^{er} septembre 2003 | 450 | |
| 23. | Conseil scolaire de district du Centre Sud-Ouest | Peel | September 1, 2003/ 1 ^{er} septembre 2003 | | 700 |
| 24. | Conseil scolaire de district du Centre Sud-Ouest | Windsor | September 1, 2003/ 1 ^{er} septembre 2003 | | 300 |
| 25. | Conseil scolaire de district du Centre Sud-Ouest | County of Essex | September 1, 2005/ 1 ^{er} septembre 2005 | | 200 |
| 26. | Conseil scolaire de district du Centre Sud-Ouest | Toronto | September 1, 2004/ 1 ^{er} septembre 2004 | 370 | |
| 27. | Conseil scolaire de district du Centre Sud-Ouest | Barrie | September 1, 2004/ 1 ^{er} septembre 2004 | | 500 |

| Item/ Point | Colonne/Colonne 1 | Colonne/Colonne 2 | Colonne/Colonne 3 | Colonne/Colonne 4 | Colonne/Colonne 5 |
|----------------|---|---|--|--|---|
| | Name of Board/Nom du conseil | Municipality or Former municipality/ Municipalité ou ancienne municipalité | As that municipality or former municipality existed on/Telle que cette municipalité ou ancienne municipalité existait le | Pupil Places — Elementary/Places à l'élémentaire | Pupil Places — Secondary/Places au secondaire |
| 28. | Conseil scolaire de district du Grand Nord de l'Ontario | Marathon or Manitouwadge | September 1, 2003/ 1 ^{er} septembre 2003 | 25 | 100 |
| 29. | Conseil scolaire de district du Nord-Est de l'Ontario | Timmins | September 1, 2003/ 1 ^{er} septembre 2003 | | 502 |
| 30. | Conseil scolaire de district du Nord-Est de l'Ontario | North Bay | September 1, 2003/ 1 ^{er} septembre 2003 | 325 | 500 |
| 31. | Conseil scolaire de district du Nord-Est de l'Ontario | Temiskaming Shores | September 1, 2004/ 1 ^{er} septembre 2004 | 200 | |
| 32. | Sudbury Catholic District School Board | Greater Sudbury/ Grand Sudbury | September 1, 2003/ 1 ^{er} septembre 2003 | | 500 |

15. Item 41 of Table 17 of the Regulation is revoked and the following substituted:

| | | | |
|-----|--|---|-----------|
| 41. | Huron Perth Catholic District School Board | 0 | 1,823,717 |
|-----|--|---|-----------|

16. Item 7 of Table 19 of the Regulation is revoked and the following substituted:

| | | | |
|----|-----|--------|--------|
| 7. | ALF | 98.43% | 98.39% |
|----|-----|--------|--------|

17. (1) Item 158 of Table 20 of the Regulation is revoked and the following substituted:

| | | | | |
|------|---|-------|--------------|-----------------------------|
| 158. | Conseil scolaire de district catholique de l'Est ontarien | 10724 | Ange Gardien | Township of South Glengarry |
|------|---|-------|--------------|-----------------------------|

(2) Table 20 of the Regulation is amended by adding the following item:

| | | | | |
|-------|---|-------|-----------|-----------------------------|
| 158.1 | Conseil scolaire de district catholique de l'Est ontarien | 10725 | Le Relais | Township of North Glengarry |
|-------|---|-------|-----------|-----------------------------|

(3) Table 20 of the Regulation is amended by adding the following item:

| | | | | |
|-------|--|-------|-----------------------------|--------------------|
| 191.1 | Conseil scolaire de district catholique des Aurores boréales | 10768 | Immaculée-Conception, É. s. | Township of Ignace |
|-------|--|-------|-----------------------------|--------------------|

(4) Table 20 of the Regulation is amended by adding the following item:

| | | | | |
|-------|---|-------|---|---------------------|
| 218.1 | Conseil scolaire de district catholique du Nouvel-Ontario | 10618 | École secondaire Jeunesse Nord, Blind River | Town of Blind River |
|-------|---|-------|---|---------------------|

(5) Table 20 of the Regulation is amended by adding the following item:

| | | | | |
|-------|---|-------|----------------------------------|----------------------------|
| 255.1 | Conseil scolaire de district du Nord-Est de l'Ontario | 10767 | E-P Temiskaming-Sud - Haileybury | City of Temiskaming Shores |
|-------|---|-------|----------------------------------|----------------------------|

(6) Items 482 to 491 of Table 20 of the Regulation are amended by striking out "Huron-Perth" wherever it appears and substituting in each case "Huron Perth".

(7) Table 20 of the Regulation is amended by adding the following items:

| | | | | |
|-------|--|-------|----------------------------|-----------------|
| 491.1 | Huron Perth Catholic District School Board | 10764 | St. Joseph Separate School | County of Huron |
| 491.2 | Huron Perth Catholic District School Board | 10765 | St. Mary's Separate School | County of Perth |

RÈGLEMENT DE L'ONTARIO 15/06

pris en application de la

LOI SUR L'ÉDUCATION

pris le 3 février 2006

déposé le 6 février 2006

publié sur le site Lois-en-ligne le 7 février 2006

imprimé dans la *Gazette de l'Ontario* le 25 février 2006

modifiant le Règl. de l'Ont. 400/05

(Subventions pour les besoins des élèves — subventions générales pour l'exercice 2005-2006 des conseils scolaires)

Remarque : Le Règlement de l'Ontario 400/05 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des règlements qui se trouve sur le site www.lois-en-ligne.gouv.on.ca.

1. (1) La sous-disposition 3 i de l'article 18 du Règlement de l'Ontario 400/05 est modifiée par insertion de «à l'exception d'une école qui relève du Conseil scolaire de district catholique des Aurores boréales dans le canton d'Ignace,» après «Prendre le nombre d'élèves qui étaient inscrits à une école qui relève du conseil le 31 octobre 2005, mais non le 31 octobre 2003,» dans le passage qui précède la sous-sous-disposition A.

(2) L'article 18 du Règlement est modifié par adjonction de la disposition suivante :

4. Dans le cas du Conseil scolaire de district catholique des Aurores boréales, ajouter 104 000 \$.

2. (1) La disposition 3 du paragraphe 28 (2) du Règlement est abrogée et remplacée par ce qui suit :

3. Multiplier par 37 627,80 \$ le nombre d'écoles élémentaires du conseil où des élèves étaient inscrits à des programmes scolaires de jour pendant l'année scolaire 2005-2006, en ne comptant que celles visées au paragraphe (2.1).

(2) La disposition 6 du paragraphe 28 (2) du Règlement est abrogée et remplacée par ce qui suit :

6. Multiplier par 132 151,60 \$ le nombre d'écoles secondaires du conseil où des élèves étaient inscrits à des programmes scolaires de jour pendant l'année scolaire 2005-2006, en ne comptant que celles visées au paragraphe (2.2).

(3) La disposition 8 du paragraphe 28 (2) du Règlement est modifiée par substitution de «171 549,90 \$» à «86 745,90 \$».

(4) L'article 28 du Règlement est modifié par adjonction des paragraphes suivants :

(2.1) Une école élémentaire est comptée pour l'application de la disposition 3 du paragraphe (2) s'il s'agit d'une école élémentaire au sens de la Loi qui a été désignée comme telle conformément au Guide d'instructions daté de 2002 que l'on peut consulter électroniquement en appuyant sur le lien «L'Accès public» à l'adresse sfis.edu.gov.on.ca et sur papier aux bureaux de la Direction du financement de l'éducation du ministère de l'Éducation à l'Édifice Mowat, 900, rue Bay, 21^e étage, Toronto (Ontario) M7A 1L2.

(2.2) Une école secondaire est comptée pour l'application de la disposition 6 du paragraphe (2) s'il s'agit d'une école secondaire au sens de la Loi qui a été désignée comme telle conformément au Guide d'instructions daté de 2002 que l'on peut consulter électroniquement en appuyant sur le lien «L'Accès public» à l'adresse sfis.edu.gov.on.ca et sur papier aux bureaux de la Direction du financement de l'éducation du ministère de l'Éducation à l'Édifice Mowat, 900, rue Bay, 21^e étage, Toronto (Ontario) M7A 1L2.

3. Le paragraphe 31 (1) du Règlement est modifié par adjonction de la disposition suivante :

5. Dans le cas de l'Upper Grand District School Board, 455 642 \$.

4. (1) L'article 34 du Règlement est modifié par adjonction de la disposition suivante :

9.1 Dans le cas du Conseil scolaire de district catholique des Aurores boréales, ajouter 24 500 \$ à la somme obtenue en application de la disposition 9.

(2) La disposition 11 de l'article 34 du Règlement est modifiée par substitution de «de la disposition 9 ou 9.1, selon le cas, et de la disposition 10» à «des dispositions 9 et 10».

5. (1) La disposition 40 du paragraphe 36 (9) du Règlement est abrogée et remplacée par ce qui suit :

40. Calculer le montant des intérêts que le conseil a versés ou dont il est redevable au titre du financement de travaux de réfection urgents et importants, visés au paragraphe (9.1), de la manière suivante :

regard du nom du conseil, que le conseil a engagée pendant les exercices 2004-2005 et 2005-2006 à l'égard des travaux de construction ou de rénovation qui ont été entrepris au plus tôt le 18 mars 2005.

- ii. Calculer la portion de la somme calculée en application de la sous-disposition i à l'égard de laquelle le conseil est redevable d'intérêts à court terme.
- iii. Calculer le montant des intérêts à court terme dont le conseil est redevable pour l'exercice 2004-2005 à l'égard de la somme calculée en application de la sous-disposition ii.
- iv. Prendre le moindre des montants suivants :
 - A. le montant des intérêts à court terme dont le conseil est redevable pour l'exercice 2005-2006 à l'égard de la somme calculée en application de la sous-disposition ii,
 - B. le montant des intérêts à court terme dont le conseil serait redevable pour l'exercice 2005-2006 à l'égard de la somme calculée en application de la sous-disposition ii si chaque emprunt était assorti d'un taux d'intérêt annuel ne dépassant pas de plus de 0,13 pour cent celui des acceptations bancaires de trois mois qui est applicable au moment où il est contracté.
- v. Calculer la portion de la somme calculée en application de la sous-disposition i à l'égard de laquelle le conseil n'est pas redevable d'intérêts.
- vi. Calculer le montant des intérêts à court terme dont le conseil serait redevable à l'égard de la somme calculée en application de la sous-disposition v si le plein montant de chaque type de frais liés à des travaux de réfection urgents et importants était emprunté au taux d'intérêt annuel de 2,69 pour cent.
- vii. Additionner les sommes éventuelles calculées en application des sous-dispositions iii, iv et vi.

(2) L'article 36 du Règlement est modifié par adjonction du paragraphe suivant :

(9.1) Pour l'application de la disposition 40 du paragraphe (9), les travaux de réfection urgents et importants s'entendent des travaux qui réunissent les conditions suivantes :

- a) ils sont effectués dans les écoles du conseil indiquées à l'annexe B du document intitulé «*Lieux propices à l'apprentissage : Première phase d'allocations*» que l'on peut consulter sur papier aux bureaux de la Direction du financement de l'éducation du ministère de l'Éducation à l'Édifice Mowat, 900, rue Bay, 21^e étage, Toronto (Ontario) M7A 1L2 ou électroniquement sur le site FTP du ministère à l'adresse <ftp://ftp.edu.gov.on.ca>, dans le fichier «sfis», puis sur le fichier «facilities-policy-review»;
- b) le ministre les a approuvés individuellement au motif qu'ils répondaient chacun à des besoins urgents et importants dans l'école concernée.

(3) Le paragraphe 36 (10) du Règlement est abrogé et remplacé par ce qui suit :

(10) La somme liée aux nouvelles places qui est versée au conseil pour l'exercice est calculée de la manière suivante :

1. Calculer le nombre de nouvelles places à l'élémentaire que le conseil déclare au plus tard le 31 août 2005 comme ayant été aménagées au plus tard le 30 septembre 2003 et financées en totalité ou en partie à l'aide de sommes calculées pour le conseil en application d'une disposition que remplace le présent paragraphe. À cette fin, une nouvelle place est établie par le conseil conformément au Guide d'instructions daté de 2002 que l'on peut consulter électroniquement en appuyant sur le lien «L'Accès public» à l'adresse <sfis.edu.gov.on.ca> et sur papier aux bureaux de la Direction du financement de l'éducation du ministère de l'Éducation à l'Édifice Mowat, 900, rue Bay, 21^e étage, Toronto (Ontario) M7A 1L2. Le conseil rédige le rapport sous la forme qu'approuve le ministre.
2. Calculer le nombre de nouvelles places à l'élémentaire qui ont été aménagées ou sont en cours d'aménagement au plus tard le 14 octobre 2005 ou pour lesquelles le conseil a attribué des contrats de construction au plus tard à cette date.
3. Calculer le nombre de nouvelles places à l'élémentaire qui ont été aménagées ou sont en cours d'aménagement au plus tard le 31 mars 2006 ou pour lesquelles le conseil a attribué des contrats de construction au plus tard à cette date.
4. Calculer le coût de construction de tout agrandissement d'écoles élémentaires afin d'aménager des places permanentes à l'élémentaire dans les écoles du conseil, engagé au plus tard le 14 octobre 2005 et déclaré au plus tard le 31 août 2006 selon la formule que précise le ministre, à l'exception des frais liés aux aires d'enseignement auxquelles s'appliquent les charges établies en application du paragraphe (16).
5. Calculer la somme payable au cours de l'exercice 2005-2006 si la somme calculée en application de la disposition 4 est amortie sur 25 ans à un taux d'intérêt annuel de 5,25 pour cent sans capitalisation.
6. Calculer le coût de construction de tout agrandissement d'écoles élémentaires afin d'aménager des places permanentes à l'élémentaire dans les écoles du conseil, engagé au plus tard le 31 mars 2006 et déclaré au plus tard le 31 août 2006 selon la formule que précise le ministre, à l'exception des frais liés aux aires d'enseignement auxquelles s'appliquent les charges établies en application du paragraphe (16).

7. Calculer la somme payable au cours de l'exercice 2005-2006 si la somme calculée en application de la disposition 6 est amortie sur 25 ans à un taux d'intérêt annuel de 5,25 pour cent sans capitalisation.
8. Calculer les frais de location à bail à l'égard des places à l'élémentaire qui ont été payés au cours de l'exercice 2005-2006 et déclarés au plus tard le 31 août 2006 selon la formule que précise le ministre.
9. Calculer les frais d'installations d'accueil à l'égard des places temporaires à l'élémentaire qui ont été payés au cours de l'exercice 2005-2006 et déclarés au plus tard le 31 août 2006 selon la formule que précise le ministre, ces frais comprenant les frais annuels de service de la dette liés à leur financement, mais non les sommes calculées en application de la disposition 8.
10. Additionner les sommes calculées en application des dispositions 8 et 9.
11. Multiplier le nombre obtenu en application de la disposition 1 par la superficie repère requise par élève, avant septembre 2005, de 9,29 mètres carrés.
12. Multiplier le produit obtenu en application de la disposition 11 par le coût repère de construction de nouvelles écoles, avant septembre 2004, de 118,40 \$ le mètre carré.
13. Multiplier la somme calculée en application de la disposition 12 par le facteur de redressement géographique indiqué à la colonne 2 du tableau 14 en regard du nom du conseil.
14. Soustraire le nombre obtenu en application de la disposition 1 de celui obtenu en application de la disposition 2.
15. Multiplier le nombre obtenu en application de la disposition 14 par la superficie repère requise par élève de 9,7 mètres carrés.
16. Multiplier le produit obtenu en application de la disposition 15 par le coût repère de construction de nouvelles écoles de 120,77 \$ le mètre carré.
17. Multiplier la somme calculée en application de la disposition 16 par le facteur de redressement géographique indiqué à la colonne 3 du tableau 14 en regard du nom du conseil.
18. Soustraire le nombre obtenu en application de la disposition 2 de celui obtenu en application de la disposition 3.
19. Multiplier le nombre obtenu en application de la disposition 18 par la superficie repère requise par élève de 9,7 mètres carrés.
20. Multiplier le produit obtenu en application de la disposition 19 par le coût repère de construction de nouvelles écoles de 120,77 \$ le mètre carré.
21. Multiplier la somme calculée en application de la disposition 20 par le facteur de redressement géographique indiqué à la colonne 3 du tableau 14 en regard du nom du conseil.
22. Soustraire la somme calculée en application de la disposition 5 de celle calculée en application de la disposition 7.
23. Additionner les sommes calculées en application des dispositions 21 et 22.
24. Multiplier par 0,37 la somme calculée en application de la disposition 23.
25. Additionner les sommes calculées en application des dispositions 5, 10, 13, 17 et 24.
26. Additionner les nombres éventuels obtenus à l'égard du conseil en application des dispositions suivantes :
 - i. La disposition 2 du paragraphe (18).
 - ii. La disposition 2 du paragraphe (29).
 - iii. La disposition 4 du paragraphe (32).
27. Soustraire le nombre obtenu en application de la disposition 26 de la capacité d'accueil à l'élémentaire du conseil calculée en application du paragraphe 37 (15) du règlement sur les subventions de 2004-2005.
28. Ajouter au nombre obtenu en application de la disposition 27 la somme éventuelle des nombres obtenus à l'égard du conseil en application des dispositions suivantes :
 - i. La disposition 2 du paragraphe (21).
 - ii. La disposition 4 du paragraphe (26).
 - iii. La disposition 5 du paragraphe (34).
 - iv. Le paragraphe (36).
 - v. La disposition 5 du paragraphe (39).

29. Soustraire le nombre obtenu en application de la disposition 28 du résultat obtenu au jour des élèves de l'élémentaire du conseil pour 2005-2006. Si la différence est négative, le nombre obtenu en application de la présente disposition est réputé nul.
30. Ajouter au nombre obtenu en application de la disposition 29 la somme éventuelle des nombres dont chacun correspond au nombre de nouvelles places dont le conseil a besoin par suite de l'augmentation de l'effectif à l'élémentaire, calculé afin d'obtenir la somme liée aux nouvelles places qui est versée au conseil pour un exercice antérieur.
31. Ajouter au nombre obtenu en application de la disposition 30 la somme éventuelle des nombres de nouvelles places à l'élémentaire nécessaires au titre du redressement temporaire des immobilisations et indiqués à la colonne 4 du tableau 15.1 en regard du nom du conseil.
32. Soustraire le nombre obtenu à l'égard du conseil en application de la disposition 2 du paragraphe 37 (10) du règlement sur les subventions de 2003-2004 de celui obtenu à son égard en application de la disposition 3.2 de ce paragraphe. Si la différence est négative, le nombre obtenu en application de la présente disposition est réputé nul.
33. Additionner les nombres obtenus en application des dispositions 31 et 32.
34. Ajouter au nombre obtenu en application de la disposition 33 le nombre éventuel de nouvelles places dont le conseil a besoin à l'égard de ses écoles élémentaires dont le coût des réparations est prohibitif, calculé afin d'obtenir la somme liée aux nouvelles places qui est versée au conseil pour un exercice antérieur.
35. Si le nombre obtenu en application de la disposition 29 est nul, ajouter le nombre éventuel de nouvelles places dont le conseil a besoin par suite de l'augmentation de l'effectif à l'élémentaire, calculé en application du paragraphe (11), à celui obtenu en application de la disposition 34.
36. Prendre le moindre des nombres obtenus en application des dispositions suivantes :
 - i. la disposition 1,
 - ii. la disposition 34 ou 35, selon le cas.
37. Soustraire le nombre obtenu en application de la disposition 36 de celui obtenu en application de la disposition 34 ou 35, selon le cas.
38. Multiplier le nombre obtenu en application de la disposition 36 par la superficie repère requise par élève, avant septembre 2005, de 9,29 mètres carrés.
39. Multiplier le produit obtenu en application de la disposition 38 par le coût repère de construction de nouvelles écoles, avant septembre 2004, de 118,40 \$ le mètre carré.
40. Multiplier la somme calculée en application de la disposition 39 par le facteur de redressement géographique indiqué à la colonne 2 du tableau 14 en regard du nom du conseil.
41. Multiplier le nombre obtenu en application de la disposition 37 par la superficie repère requise par élève, avant septembre 2005, de 9,29 mètres carrés.
42. Multiplier le produit obtenu en application de la disposition 41 par le coût repère de construction de nouvelles écoles de 120,77 \$ le mètre carré.
43. Multiplier la somme calculée en application de la disposition 42 par le facteur de redressement géographique indiqué à la colonne 3 du tableau 14 en regard du nom du conseil.
44. Additionner les sommes calculées en application des dispositions 40 et 43.
45. Pour chaque école élémentaire du conseil, calculer le nombre de nouvelles places à l'élémentaire comptées au titre de l'effectif réduit des classes du cycle primaire de la manière suivante :
 - i. Calculer l'effectif quotidien moyen de jour des élèves de l'élémentaire du conseil pour 2005-2006, en ne comptant que les élèves inscrits à l'école.
 - ii. Soustraire la capacité d'accueil déclarée pour 2004-2005 de l'école du nombre obtenu en application de la sous-disposition i. Si la différence est négative, le nombre obtenu en application de la présente sous-disposition est réputé nul.
 - iii. Soustraire la capacité d'accueil à l'élémentaire déclarée pour 2005-2006 de l'école du nombre obtenu en application de la sous-disposition i. Si la différence est négative, le nombre obtenu en application de la présente sous-disposition est réputé nul.
 - iv. Soustraire le nombre obtenu en application de la sous-disposition ii de celui obtenu en application de la sous-disposition iii. Si la différence est négative, le nombre obtenu en application de la présente sous-disposition est réputé nul.

46. Additionner les nombres obtenus en application de la disposition 45 pour toutes les écoles élémentaires du conseil.
47. Pour chaque école élémentaire du conseil où les nouvelles places à l'élémentaire sont comptées en application de la disposition 45, prendre le nombre de places que le conseil peut fournir, comme le ministre peut raisonnablement le confirmer, en recourant à l'une ou l'autre ou à la totalité des méthodes suivantes :
 - i. L'utilisation des autres places disponibles à l'école.
 - ii. L'utilisation des autres places disponibles dans une école proche.
 - iii. La redéfinition des limites des secteurs de fréquentation de ses écoles élémentaires.
 - iv. La modification de ses programmes.
48. Additionner les nombres obtenus en application de la disposition 47.
49. Soustraire le nombre obtenu en application de la disposition 48 de celui obtenu en application de la disposition 46.
50. Multiplier le nombre obtenu en application de la disposition 49 par la superficie repère requise par élève de 9,7 mètres carrés.
51. Multiplier le produit obtenu en application de la disposition 50 par le coût repère de construction de nouvelles écoles de 120,77 \$ le mètre carré.
52. Multiplier la somme calculée en application de la disposition 51 par le facteur de redressement géographique indiqué à la colonne 3 du tableau 14 en regard du nom du conseil.
53. Pour les conseils qui remplissent les deux conditions énoncées au paragraphe (10.1), calculer l'effectif quotidien moyen de jour des élèves de l'élémentaire du conseil pour 2005-2006.
54. Calculer la capacité d'accueil à l'élémentaire redressée pour l'application du règlement sur les subventions de 2005-2006 de la manière suivante :
 - i. Désigner les établissements élémentaires qui sont considérés comme des établissements élémentaires pour l'application de l'article 37 du règlement sur les subventions de 2004-2005.
 - ii. Appliquer les charges établies en application du paragraphe (16) aux aires d'enseignement, classées en application du même paragraphe, des établissements désignés en application de la sous-disposition i.
 - iii. Additionner les nombres obtenus en application de la sous-disposition ii.
 - iv. Appliquer les redressements indiqués aux paragraphes (18), (21), (26), (29), (32), (34), (36) et (39) au nombre obtenu en application de la sous-disposition iii.
55. Soustraire le nombre obtenu en application de la disposition 54 de celui obtenu en application de la disposition 53. Si la différence est négative, le nombre obtenu en application de la présente disposition est réputé nul.
56. Ajouter au nombre obtenu en application de la disposition 55 la somme éventuelle des nombres dont chacun correspond au nombre de nouvelles places dont le conseil a besoin par suite de l'augmentation de l'effectif à l'élémentaire, calculé afin d'obtenir la somme liée aux nouvelles places qui est versée au conseil pour un exercice antérieur.
57. Ajouter au nombre obtenu en application de la disposition 56 la somme éventuelle des nombres de nouvelles places à l'élémentaire nécessaires au titre du redressement temporaire des immobilisations et indiqués à la colonne 4 du tableau 15.1 en regard du nom du conseil.
58. Soustraire le nombre obtenu à l'égard du conseil en application de la disposition 2 du paragraphe 37 (10) du règlement sur les subventions de 2003-2004 de celui obtenu à son égard en application de la disposition 3.2 de ce paragraphe. Si la différence est négative, le nombre obtenu en application de la présente disposition est réputé nul.
59. Additionner les nombres obtenus en application des dispositions 57 et 58.
60. Ajouter au nombre obtenu en application de la disposition 59 le nombre éventuel de nouvelles places dont le conseil a besoin à l'égard de ses écoles élémentaires dont le coût des réparations est prohibitif, calculé afin d'obtenir la somme liée aux nouvelles places qui est versée au conseil pour un exercice antérieur.
61. Si le nombre obtenu en application de la disposition 55 est nul, ajouter le nombre éventuel de nouvelles places dont le conseil a besoin par suite de l'augmentation de l'effectif à l'élémentaire, calculé en application du paragraphe (11), à celui obtenu en application de la disposition 60.
62. Prendre le moindre des nombres obtenus en application des dispositions suivantes :
 - i. la disposition 1,
 - ii. la disposition 60 ou 61, selon le cas.

63. Soustraire le nombre obtenu en application de la disposition 62 de celui obtenu en application de la disposition 61, selon le cas.
64. Multiplier le nombre obtenu en application de la disposition 62 par la superficie repère requise par élève, avant septembre 2005, de 9,29 mètres carrés.
65. Multiplier le produit obtenu en application de la disposition 64 par le coût repère de construction de nouvelles écoles, avant septembre 2004, de 118,40 \$ le mètre carré.
66. Multiplier la somme calculée en application de la disposition 65 par le facteur de redressement géographique indiqué à la colonne 2 du tableau 14 en regard du nom du conseil.
67. Multiplier le nombre obtenu en application de la disposition 63 par la superficie repère requise par élève de 9,7 mètres carrés.
68. Multiplier le produit obtenu en application de la disposition 67 par le coût repère de construction de nouvelles écoles de 120,77 \$ le mètre carré.
69. Multiplier la somme calculée en application de la disposition 68 par le facteur de redressement géographique indiqué à la colonne 3 du tableau 14 en regard du nom du conseil.
70. Additionner les sommes calculées en application des dispositions 66 et 69.
71. Soustraire la somme calculée en application de la disposition 44 de celle calculée en application de la disposition 70.
72. Soustraire la somme calculée en application de la disposition 71 de celle calculée en application de la disposition 52. Si la différence est négative, le nombre obtenu en application de la présente disposition est réputé nul.
73. Additionner les sommes calculées en application des dispositions 44, 71 et 72.
74. Pour les conseils qui ne remplissent pas les deux conditions énoncées au paragraphe (10.1), additionner les sommes calculées en application des dispositions 44 et 52.
75. Calculer le nombre de nouvelles places au secondaire que le conseil déclare au plus tard le 31 août 2005 comme ayant été aménagées au plus tard le 30 septembre 2003 et financées en totalité ou en partie à l'aide de sommes calculées pour le conseil en application d'une disposition que remplace le présent paragraphe. À cette fin, une nouvelle place est établie par le conseil conformément au Guide d'instructions daté de 2002 que l'on peut consulter électroniquement en appuyant sur le lien «L'Accès public» à l'adresse sfs.edu.gov.on.ca et sur papier aux bureaux de la Direction du financement de l'éducation du ministère de l'Éducation à l'Édifice Mowat, 900, rue Bay, 21^e étage, Toronto (Ontario) M7A 1L2. Le conseil rédige le rapport sous la forme qu'approuve le ministre.
76. Calculer le nombre de nouvelles places au secondaire qui ont été aménagées ou sont en cours d'aménagement au plus tard le 14 octobre 2005 ou pour lesquelles le conseil a attribué des contrats de construction au plus tard à cette date.
77. Calculer le nombre de nouvelles places au secondaire qui ont été aménagées ou sont en cours d'aménagement au plus tard le 31 mars 2006 ou pour lesquelles le conseil a attribué des contrats de construction au plus tard à cette date.
78. Calculer le coût de construction de tout agrandissement d'écoles secondaires afin d'aménager des places permanentes au secondaire dans les écoles du conseil, engagé au plus tard le 14 octobre 2005 et déclaré au plus tard le 31 août 2006 selon la formule que précise le ministre, à l'exception des frais liés aux aires d'enseignement auxquelles s'appliquent les charges établies en application du paragraphe (16).
79. Calculer la somme payable au cours de l'exercice 2005-2006 si la somme calculée en application de la disposition 78 est amortie sur 25 ans à un taux d'intérêt annuel de 5,25 pour cent sans capitalisation.
80. Calculer le coût de construction de tout agrandissement d'écoles secondaires afin d'aménager des places permanentes au secondaire dans les écoles du conseil, engagé au plus tard le 31 mars 2006 et déclaré au plus tard le 31 août 2006 selon la formule que précise le ministre, à l'exception des frais liés aux aires d'enseignement auxquelles s'appliquent les charges établies en application du paragraphe (16).
81. Calculer la somme payable au cours de l'exercice 2005-2006 si la somme calculée en application de la disposition 80 est amortie sur 25 ans à un taux d'intérêt annuel de 5,25 pour cent sans capitalisation.
82. Calculer les frais de location à bail à l'égard des places au secondaire qui ont été payés au cours de l'exercice 2005-2006 et déclarés au plus tard le 31 août 2006 selon la formule que précise le ministre.
83. Calculer les frais d'installations d'accueil à l'égard des places temporaires au secondaire qui ont été payés au cours de l'exercice 2005-2006 et déclarés au plus tard le 31 août 2006 selon la formule que précise le ministre, ces frais comprenant les frais annuels de service de la dette liés à leur financement, mais non les sommes calculées en application de la disposition 82.
84. Additionner les sommes calculées en application des dispositions 82 et 83.

85. Multiplier le nombre obtenu en application de la disposition 75 par la superficie repère requise par élève de 12,07 mètres carrés.
86. Multiplier le produit obtenu en application de la disposition 85 par le coût repère de construction de nouvelles écoles, avant septembre 2004, de 129,17 \$ le mètre carré.
87. Multiplier la somme calculée en application de la disposition 86 par le facteur de redressement géographique indiqué à la colonne 2 du tableau 14 en regard du nom du conseil.
88. Soustraire le nombre obtenu en application de la disposition 75 de celui obtenu en application de la disposition 76.
89. Multiplier le nombre obtenu en application de la disposition 88 par la superficie repère requise par élève de 12,07 mètres carrés.
90. Multiplier le produit obtenu en application de la disposition 89 par le coût repère de construction de nouvelles écoles de 131,75 \$ le mètre carré.
91. Multiplier la somme calculée en application de la disposition 90 par le facteur de redressement géographique indiqué à la colonne 3 du tableau 14 en regard du nom du conseil.
92. Soustraire le nombre obtenu en application de la disposition 76 de celui obtenu en application de la disposition 77.
93. Multiplier le nombre obtenu en application de la disposition 92 par la superficie repère requise par élève de 12,07 mètres carrés.
94. Multiplier le produit obtenu en application de la disposition 93 par le coût repère de construction de nouvelles écoles de 131,75 \$ le mètre carré.
95. Multiplier la somme calculée en application de la disposition 94 par le facteur de redressement géographique indiqué à la colonne 3 du tableau 14 en regard du nom du conseil.
96. Soustraire la somme calculée en application de la disposition 79 de celle calculée en application de la disposition 81.
97. Additionner les sommes calculées en application des dispositions 95 et 96.
98. Multiplier par 0,37 la somme calculée en application de la disposition 97.
99. Additionner les sommes calculées en application des dispositions 79, 84, 87, 91 et 98.
100. Calculer l'effectif quotidien moyen de jour des élèves du secondaire du conseil pour 2005-2006.
101. Soustraire la capacité d'accueil au secondaire du conseil calculée en application du paragraphe (15) du nombre obtenu en application de la disposition 100. Si la différence est négative, le nombre obtenu en application de la présente disposition est réputé nul.
102. Ajouter au nombre obtenu en application de la disposition 101 la somme éventuelle des nombres dont chacun correspond au nombre de nouvelles places dont le conseil a besoin par suite de l'augmentation de l'effectif au secondaire, calculé afin d'obtenir la somme liée aux nouvelles places qui est versée au conseil pour un exercice antérieur.
103. Ajouter au nombre obtenu en application de la disposition 102 la somme éventuelle des nombres de nouvelles places au secondaire nécessaires au titre du redressement temporaire des immobilisations et indiqués à la colonne 5 du tableau 15.1 en regard du nom du conseil.
104. Soustraire le nombre obtenu à l'égard du conseil en application de la disposition 17 du paragraphe 37 (10) du règlement sur les subventions de 2003-2004 de celui obtenu à son égard en application de la disposition 18.2 de ce paragraphe. Si la différence est négative, le nombre obtenu en application de la présente disposition est réputé nul.
105. Additionner les nombres obtenus en application des dispositions 103 et 104.
106. Ajouter au nombre obtenu en application de la disposition 105 le nombre éventuel de nouvelles places dont le conseil a besoin à l'égard de ses écoles secondaires dont le coût des réparations est prohibitif, calculé afin d'obtenir la somme liée aux nouvelles places qui est versée au conseil pour un exercice antérieur.
107. Si le nombre obtenu en application de la disposition 101 est nul, ajouter le nombre éventuel de nouvelles places dont le conseil a besoin par suite de l'augmentation de l'effectif au secondaire, calculé en application du paragraphe (13), à celui obtenu en application de la disposition 106.
108. Prendre le moindre des nombres obtenus en application des dispositions suivantes :
 - i. la disposition 75,
 - ii. la disposition 106 ou 107, selon le cas.
109. Soustraire le nombre obtenu en application de la disposition 108 de celui obtenu en application de la disposition 106 ou 107, selon le cas.

110. Multiplier le nombre obtenu en application de la disposition 100 par la superficie repère requise par élève de 12,07 mètres carrés.
111. Multiplier le produit obtenu en application de la disposition 110 par le coût repère de construction de nouvelles écoles, avant septembre 2004, de 129,17 \$ le mètre carré.
112. Multiplier la somme calculée en application de la disposition 111 par le facteur de redressement géographique indiqué à la colonne 2 du tableau 14 en regard du nom du conseil.
113. Multiplier le nombre obtenu en application de la disposition 109 par la superficie repère requise par élève de 12,07 mètres carrés.
114. Multiplier le produit obtenu en application de la disposition 113 par le coût repère de construction de nouvelles écoles de 131,75 \$ le mètre carré.
115. Multiplier la somme calculée en application de la disposition 114 par le facteur de redressement géographique indiqué à la colonne 3 du tableau 14 en regard du nom du conseil.
116. Additionner les sommes calculées en application des dispositions 112 et 115.
117. Additionner les sommes calculées en application des dispositions 25 et 99.
118. Ajouter la somme calculée à l'égard du conseil en application de la disposition 73 ou 74, selon le cas, à celle obtenue à son égard en application de la disposition 116.
119. Ajouter à la somme calculée en application de la disposition 118 la somme éventuelle obtenue à l'égard du conseil en application de la disposition 35 du paragraphe 37 (10) du règlement sur les subventions de 2004-2005.
120. Prendre la moindre des sommes calculées en application des dispositions 117 et 119.
121. Calculer, pour l'exercice 2005-2006, les frais annuels de service de la dette relatifs aux travaux d'immobilisations financés en totalité ou en partie à l'aide de sommes calculées en application du présent paragraphe ou d'une disposition qu'il remplace à l'égard d'un exercice antérieur commençant après le 31 août 1998, où :
 - i. on entend par dette la dette à long terme, et non celle que vise l'article 37 ou celle qui a trait à la somme calculée en application du paragraphe (42),
 - ii. on entend par travaux d'immobilisations les travaux effectués aux fins visées à l'article 1 du Règlement de l'Ontario 446/98 (Fonds de réserve) pris en application de la Loi.
122. Soustraire la somme calculée en application de la disposition 120 de celle calculée en application de la disposition 119. Si la différence est négative, le nombre obtenu en application de la présente disposition est réputé nul.
123. Soustraire la somme calculée en application de la disposition 120 de celle calculée en application de la disposition 121. Si la différence est négative, le nombre obtenu en application de la présente disposition est réputé nul.
124. Prendre la moindre des sommes calculées en application des dispositions 122 et 123.
125. Additionner les sommes calculées en application des dispositions 120 et 124.

(4) L'article 36 du Règlement est modifié par adjonction du paragraphe suivant :

(10.1) Pour l'application des dispositions 53 et 74 du paragraphe (10), les conditions visées sont les suivantes :

1. Le quotient obtenu en divisant l'effectif quotidien moyen de jour des élèves de l'élémentaire du conseil pour 2005-2006 par l'ensemble des capacités d'accueil à l'élémentaire déclarées pour 2005-2006 pour les écoles du conseil est supérieur ou égal à 0,9.
2. L'effectif quotidien moyen de jour des élèves de l'élémentaire du conseil projeté pour chacun des dix exercices qui suivront celui de 2005-2006, tel qu'il est déclaré par le conseil et approuvé par le ministre, est supérieur au nombre calculé en application de la disposition 28 du paragraphe (10).

(5) Le paragraphe 36 (15) du Règlement est abrogé et remplacé par ce qui suit :

(15) Pour l'application de la disposition 101 du paragraphe (10), la capacité d'accueil au secondaire du conseil est la capacité d'accueil au secondaire calculée pour le conseil en application du règlement sur les subventions de 2004-2005, sous réserve des redressements indiqués aux paragraphes (19), (22), (27), (30), (33), (35), (37) et (41).

(6) Le paragraphe 36 (24) du Règlement est modifié par substitution de «tableau 15.1» à «tableau 12 du règlement sur les subventions de 2004-2005».

(7) Le paragraphe 36 (25) du Règlement est modifié par substitution de «tableau 15.1» à «tableau 12 du règlement sur les subventions de 2004-2005».

(8) La disposition 2 du paragraphe 36 (42) du Règlement est modifiée par insertion de «, avant septembre 2005,» après «superficie repère requise par élève».

(9) Le paragraphe 36 (43) du Règlement est abrogé et remplacé par ce qui suit :

(43) Pour l'application de la disposition 16 du paragraphe (3) et de la disposition 14 du paragraphe (9), la capacité d'accueil d'une école élémentaire est calculée en appliquant les charges établies en application du paragraphe 37 (16) du règlement sur les subventions de 2004-2005 aux aires d'enseignement de l'école, classées en application du même paragraphe, et en multipliant le nombre obtenu par 0,9631.

(10) Le paragraphe 36 (45) du Règlement est modifié par adjonction de la définition suivante :

«capacité d'accueil à l'élémentaire déclarée pour 2005-2006» Relativement à une école élémentaire qui relève d'un conseil, la capacité d'accueil déclarée à l'annexe C des états financiers de 2005-2006 que le conseil a préparés et présentés au ministère en application de la Loi. («2005-2006 reported elementary capacity»)

6. (1) La disposition 12 du paragraphe 40 (5) du Règlement est modifiée par adjonction de la sous-disposition suivante :

i.1 Ajouter 84 804 \$ à la somme calculée en application de la sous-disposition i.

(2) La sous-disposition 12 ii du paragraphe 40 (5) du Règlement est modifiée par substitution de «sous-disposition i.1» à «sous-disposition i».

(3) La sous-disposition 26 iv du paragraphe 40 (5) du Règlement est modifiée par substitution de «tableau 5» à «tableau 20».

(4) La disposition 33 du paragraphe 40 (5) du Règlement est modifiée par adjonction de la sous-disposition suivante :

iv. dans le cas de l'Upper Grand District School Board, 455 642 \$.

7. (1) La sous-sous-disposition 1 i A du paragraphe 46 (3) du Règlement est modifiée par substitution de «240 (4)» à «240 (5)».

(2) La sous-sous-disposition 1 ii A du paragraphe 46 (3) du Règlement est modifiée par substitution de «240 (4)» à «240 (5)».

8. (1) Le point 13 du tableau 3 du Règlement est abrogé et remplacé par ce qui suit :

| | | | | | | | | |
|-----|---|------|--------------|--|------------------|---|---|----------|
| 13. | Wellington Catholic District School Board | 3031 | Sacred Heart | | Wellington North | 0 | 0 | \$14,313 |
|-----|---|------|--------------|--|------------------|---|---|----------|

(2) Le tableau 3 du Règlement est modifié par adjonction des points suivants :

| | | | | | | | | |
|-----|---|------|----------------------------|-----------|-----------------|----------|---------|-----------|
| 18. | Huron Perth Catholic District School Board | 3433 | St. Mary's Separate School | | Perth East | 0 | 0 | \$167,098 |
| 19. | Huron Perth Catholic District School Board | 3145 | St. Joseph Separate School | | Central Huron | 0 | 0 | \$28,780 |
| 20. | Conseil scolaire de district catholique de l'Est ontarien | 3612 | | Le Relais | North Glengarry | \$26,194 | \$4,621 | \$30,827 |

9. (1) Les points 5 à 9 du tableau 4 du Règlement sont abrogés et remplacés par ce qui suit :

| | | | | | | | | | |
|----|--|-------|--|-------------------------------------|------------|----------|---------|-----------|-----------|
| 5. | Conseil de district des écoles publiques de langue française n° 59 | 10394 | | École secondaire publique le Sommet | Hawkesbury | \$14,082 | \$2,484 | \$507,463 | \$108,038 |
|----|--|-------|--|-------------------------------------|------------|----------|---------|-----------|-----------|

| | | | | | | | | | |
|----|--|-------|----------------------|---|-------------|-----------|----------|-----------|-----------|
| 6. | Conseil de district des écoles publiques de langue française n° 59 | 10575 | | École s.p. Marc Gameau | Quinte West | \$52,747 | \$9,503 | \$672,715 | \$99,719 |
| 7. | Conseil de district des écoles publiques de langue française n° 59 | 10658 | | Centre Scolaire Catholique Jeanne-Lajoie Secondaire | Pembroke | 0 | 0 | \$505,649 | \$98,876 |
| 8. | Conseil scolaire de district du Centre Sud-Ouest | 10710 | Carrefour des Jeunes | | Brampton | 0 | 0 | \$49,120 | \$8,534 |
| 9. | Conseil scolaire de district catholique des Aurores boréales | 10740 | | École secondaire catholique de La Vérendrye | Thunder Bay | \$126,689 | \$22,348 | \$669,873 | \$100,038 |

(2) Le tableau 4 du Règlement est modifié par adjonction des points suivants :

| | | | | | | | | | |
|-----|---|-------|----------------------------|---|-----------------|----------|----------|-----------|----------|
| 10. | Huron Perth Catholic District School Board | 10764 | St. Joseph Separate School | | Central Huron | \$18,652 | \$3,128 | \$22,251 | \$8,575 |
| 11. | Conseil scolaire de district catholique de l'Est ontarien | 10724 | Ange Gardien | | South Glengarry | \$41,205 | \$6,662 | \$23,524 | 0 |
| 12. | Conseil scolaire de district catholique de l'Est ontarien | 10725 | | Le Relais | North Glengarry | \$68,263 | \$11,450 | \$31,437 | 0 |
| 13. | Conseil scolaire de district catholique du Nouvel-Ontario | 10618 | | École secondaire catholique Jeunesse-Nord | Blind River | \$48,558 | \$8,144 | \$262,996 | \$48,495 |

10. (1) Le point 7 du tableau 5 du Règlement est abrogé et remplacé par ce qui suit :

| | | |
|----|--------------------------------|-------|
| 7. | Lakehead District School Board | 7,770 |
|----|--------------------------------|-------|

(2) Le point 39 du tableau 5 du Règlement est abrogé et remplacé par ce qui suit :

| | | |
|-----|---|---------|
| 39. | Superior North Catholic District School Board | 101,660 |
|-----|---|---------|

(3) Le point 41 du tableau 5 du Règlement est abrogé et remplacé par ce qui suit :

| | | |
|-----|--|--------|
| 41. | Huron Perth Catholic District School Board | 99,543 |
|-----|--|--------|

(4) Le point 63 du tableau 5 du Règlement est abrogé et remplacé par ce qui suit :

| | | |
|-----|--|---------|
| 63. | Conseil scolaire de district du Centre Sud-Ouest | 318,766 |
|-----|--|---------|

11. Le point 33 du tableau 11 du Règlement est abrogé et remplacé par ce qui suit :

| | | |
|-----|--|--------|
| 33. | Huron Perth Catholic District School Board | 43,405 |
|-----|--|--------|

12. Le point 33 du tableau 12 du Règlement est abrogé et remplacé par ce qui suit :

| | | | | | |
|-----|--|-------|---------|---------|-------|
| 33. | Huron Perth Catholic District School Board | 0.00% | 100.00% | 100.00% | 0.00% |
|-----|--|-------|---------|---------|-------|

13. Le tableau 15 du Règlement est abrogé et remplacé par ce qui suit :

TABLE/TABLEAU 15

**GOOD PLACES TO LEARN — MAXIMUM STAGE I ALLOCATIONS/LIEUX PROPICES À L'APPRENTISSAGE —
ALLOCATIONS MAXIMALES DE LA PREMIÈRE PHASE**

| Item/Point | Column/Colonne 1 Name of Board/Nom du conseil | Column/Colonne 2 Allocation to Address Urgent and High Priority Projects/Somme liée aux besoins urgents et importants \$ |
|------------|---|---|
| 1. | District School Board Ontario North East | 5,600,507 |
| 2. | Algoma District School Board | 8,566,032 |
| 3. | Rainbow District School Board | 11,348,912 |
| 4. | Near North District School Board | 11,422,809 |
| 5. | Keewatin-Patricia District School Board | 4,196,161 |
| 6. | Rainy River District School Board | 1,072,658 |
| 7. | Lakehead District School Board | 5,722,015 |
| 8. | Superior-Greenstone District School Board | 1,498,725 |
| 9. | Bluewater District School Board | 14,384,686 |
| 10. | Avon Maitland District School Board | 15,736,931 |
| 11. | Greater Essex County District School Board | 27,319,674 |
| 12. | Lambton Kent District School Board | 13,930,892 |
| 13. | Thames Valley District School Board | 41,210,971 |
| 14. | Toronto District School Board | 175,426,757 |
| 15. | Durham District School Board | 34,178,196 |
| 16. | Kawartha Pine Ridge District School Board | 20,046,679 |
| 17. | Trillium Lakelands District School Board | 5,818,110 |
| 18. | York Region District School Board | 27,532,179 |
| 19. | Simcoe County District School Board | 33,557,187 |
| 20. | Upper Grand District School Board | 15,277,490 |
| 21. | Peel District School Board | 53,515,740 |
| 22. | Halton District School Board | 20,243,575 |
| 23. | Hamilton-Wentworth District School Board | 34,103,412 |
| 24. | District School Board of Niagara | 49,974,365 |
| 25. | Grand Erie District School Board | 19,857,897 |
| 26. | Waterloo Region District School Board | 24,732,097 |
| 27. | Ottawa-Carleton District School Board | 47,997,615 |
| 28. | Upper Canada District School Board | 10,847,832 |
| 29. | Limestone District School Board | 23,041,672 |
| 30. | Renfrew County District School Board | 8,592,082 |
| 31. | Hastings and Prince Edward District School Board | 17,758,146 |
| 32. | Northeastern Catholic District School Board | 593,601 |
| 33. | Nipissing-Parry Sound Catholic District School Board | 2,910,248 |
| 34. | Huron-Superior Catholic District School Board | 3,534,484 |
| 35. | Sudbury Catholic District School Board | 6,629,471 |
| 36. | Northwest Catholic District School Board | 242,004 |
| 37. | Kenora Catholic District School Board | 389,401 |
| 38. | Thunder Bay Catholic District School Board | 5,609,488 |
| 39. | Superior North Catholic District School Board | 1,444,496 |
| 40. | Bruce-Grey Catholic District School Board | 1,451,485 |
| 41. | Huron Perth Catholic District School Board | 1,120,758 |
| 42. | Windsor-Essex Catholic District School Board | 8,094,232 |
| 43. | English-language Separate District School Board No. 38 | 5,753,149 |
| 44. | St. Clair Catholic District School Board | 3,943,656 |
| 45. | Toronto Catholic District School Board | 39,166,136 |
| 46. | Peterborough Victoria Northumberland and Clarington Catholic District School Board | 2,272,590 |

| Item/Point | Column/Colonne 1 | Column/Colonne 2 |
|------------|--|---|
| | Name of Board/Nom du conseil | Allocation to Address Urgent and High Priority Projects/Somme liée aux besoins urgents et importants \$ |
| 47. | York Catholic District School Board | 10,423,811 |
| 48. | Dufferin Peel Catholic District School Board | 13,249,338 |
| 49. | Simcoe Muskoka Catholic District School Board | 6,079,445 |
| 50. | Durham Catholic District School Board | 2,785,579 |
| 51. | Halton Catholic District School Board | 1,557,316 |
| 52. | Hamilton-Wentworth Catholic District School Board | 7,963,970 |
| 53. | Wellington Catholic District School Board | 1,461,091 |
| 54. | Waterloo Catholic District School Board | 6,082,548 |
| 55. | Niagara Catholic District School Board | 17,271,446 |
| 56. | Brant Haldimand Norfolk Catholic District School Board | 3,736,736 |
| 57. | Eastern Ontario Catholic District School Board | 6,219,937 |
| 58. | Ottawa-Carleton Catholic District School Board | 19,644,533 |
| 59. | Renfrew County Catholic District School Board | 2,319,798 |
| 60. | Algonquin and Lakeshore Catholic District School Board | 5,520,784 |
| 61. | Conseil scolaire de district du Nord-Est de l'Ontario | 387,631 |
| 62. | Conseil scolaire de district du Grand Nord de l'Ontario | 2,556,615 |
| 63. | Conseil scolaire de district du Centre Sud-Ouest | 7,607,684 |
| 64. | Conseil de district des écoles publiques de langue française n° 59 | 6,274,889 |
| 65. | Conseil scolaire de district catholique des Grandes Rivières | 5,044,082 |
| 66. | Conseil scolaire de district catholique Franco-Nord | 3,572,837 |
| 67. | Conseil scolaire de district catholique du Nouvel-Ontario | 7,658,633 |
| 68. | Conseil scolaire de district catholique des Aurores boréales | 538,819 |
| 69. | Conseil scolaire de district des écoles catholiques du Sud-Ouest | 3,964,416 |
| 70. | Conseil scolaire de district catholique Centre-Sud | 6,572,429 |
| 71. | Conseil scolaire de district catholique de l'Est ontarien | 11,052,079 |
| 72. | Conseil scolaire de district catholique du Centre-Est de l'Ontario | 7,471,767 |

14. Le Règlement est modifié par adjonction du tableau suivant :

TABLE/TABLEAU 15.1

CAPITAL TRANSITIONAL ADJUSTMENT/REDRESSEMENT TEMPORAIRE DES IMMOBILISATIONS

| Item/Point | Column/Colonne 1 | Column/Colonne 2 | Column/Colonne 3 | Column/Colonne 4 | Column/Colonne 5 |
|------------|--|---|--|---|--|
| | Name of Board/Nom du conseil | Municipality or Former municipality/ Municipalité ou ancienne municipalité | As that municipality or former municipality existed on/Telle que cette municipalité ou ancienne municipalité existait le | Pupil Places — Elementary/Places à l'élémentaire | Pupil Places — Secondary/Places au secondaire |
| 1. | Conseil scolaire de district catholique Centre-Sud | Cambridge | September 1, 2003/ 1 ^{er} septembre 2003 | | 600 |
| 2. | Conseil scolaire de district catholique Centre-Sud | York | September 1, 2003/ 1 ^{er} septembre 2003 | | 700 |
| 3. | Conseil scolaire de district catholique de l'Est ontarien | North Glengarry | September 1, 2003/ 1 ^{er} septembre 2003 | 400 | 500 |
| 4. | Conseil scolaire de district catholique de l'Est ontarien | Clarence-Rockland | September 1, 2005/ 1 ^{er} septembre 2005 | 240 | |
| 5. | Conseil scolaire de district catholique des Aurores boréales | Thunder Bay | September 1, 2003/ 1 ^{er} septembre 2003 | | 540 |
| 6. | Conseil scolaire de district catholique des Grandes Rivières | Cochrane | September 1, 2003/ 1 ^{er} septembre 2003 | 300 | 500 |
| 7. | Conseil scolaire de district catholique du Centre-Est de l'Ontario | Carleton Place | September 1, 2003/ 1 ^{er} septembre 2003 | 300 | |

| Item/ Point | Column/Colonne 1 | Column/Colonne 2 | Column/Colonne 3 | Column/Colonne 4 | Column/Colonne 5 |
|----------------|--|---|--|--|---|
| | Name of Board/Nom du conseil | Municipality or Former municipality/ Municipalité ou ancienne municipalité | As that municipality or former municipality existed on/Telle que cette municipalité ou ancienne municipalité existait le | Pupil Places — Elementary/Places à l'élémentaire | Pupil Places — Secondary/Places au secondaire |
| 8. | Conseil scolaire de district catholique du Centre-Est de l'Ontario | City of/Cité de Trenton | December 31, 1997/ 31 décembre 1997 | 300 | |
| 9. | Conseil scolaire de district catholique du Centre-Est de l'Ontario | Ottawa | September 1, 2003/ 1 ^{er} septembre 2003 | | 600 |
| 10. | Conseil scolaire de district catholique du Centre-Est de l'Ontario | Pembroke | September 1, 2003/ 1 ^{er} septembre 2003 | 500 | 500 |
| 11. | Conseil scolaire de district catholique du Centre-Est de l'Ontario | Brockville | September 1, 2004/ 1 ^{er} septembre 2004 | 300 | 170 |
| 12. | Conseil scolaire de district catholique du Nouvel-Ontario | Blind River | September 1, 2003/ 1 ^{er} septembre 2003 | | 500 |
| 13. | Conseil scolaire de district catholique du Nouvel-Ontario | Chapleau | September 1, 2004/ 1 ^{er} septembre 2004 | | 500 |
| 14. | Conseil scolaire de district catholique du Nouvel-Ontario | Michipicoten | September 1, 2005/ 1 ^{er} septembre 2005 | | 115 |
| 15. | Conseil scolaire de district des écoles catholiques du Sud-Ouest | Owen Sound | September 1, 2003/ 1 ^{er} septembre 2003 | 300 | 500 |
| 16. | Conseil scolaire de district des écoles catholiques du Sud-Ouest | St. Thomas | September 1, 2005/ 1 ^{er} septembre 2005 | 250 | |
| 17. | Conseil de district des écoles publiques de langue française n° 59 | City of/Cité de Cumberland | December 31, 2000/ 31 décembre 2000 | | 700 |
| 18. | Conseil de district des écoles publiques de langue française n° 59 | Town of Vankleek Hill | December 31, 1997/ 31 décembre 1997 | | 500 |
| 19. | Conseil de district des écoles publiques de langue française n° 59 | City of/Cité d'Ottawa | December 31, 2000/ 31 décembre 2000 | | 500 |
| 20. | Conseil de district des écoles publiques de langue française n° 59 | Ottawa | September 1, 2005/ 1 ^{er} septembre 2005 | | 500 |
| 21. | Conseil de district des écoles publiques de langue française n° 59 | Casselman | September 1, 2004/ 1 ^{er} septembre 2004 | 200 | 600 |
| 22. | Conseil scolaire de district du Centre Sud-Ouest | Brampton | September 1, 2003/ 1 ^{er} septembre 2003 | 450 | |
| 23. | Conseil scolaire de district du Centre Sud-Ouest | Peel | September 1, 2003/ 1 ^{er} septembre 2003 | | 700 |
| 24. | Conseil scolaire de district du Centre Sud-Ouest | Windsor | September 1, 2003/ 1 ^{er} septembre 2003 | | 300 |
| 25. | Conseil scolaire de district du Centre Sud-Ouest | County of Essex | September 1, 2005/ 1 ^{er} septembre 2005 | | 200 |
| 26. | Conseil scolaire de district du Centre Sud-Ouest | Toronto | September 1, 2004/ 1 ^{er} septembre 2004 | 370 | |
| 27. | Conseil scolaire de district du Centre Sud-Ouest | Barrie | September 1, 2004/ 1 ^{er} septembre 2004 | | 500 |
| 28. | Conseil scolaire de district du Grand Nord de l'Ontario | Marathon or Manitouwadge | September 1, 2003/ 1 ^{er} septembre 2003 | 25 | 100 |
| 29. | Conseil scolaire de district du Nord-Est de l'Ontario | Timmins | September 1, 2003/ 1 ^{er} septembre 2003 | | 502 |
| 30. | Conseil scolaire de district du Nord-Est de l'Ontario | North Bay | September 1, 2003/ 1 ^{er} septembre 2003 | 325 | 500 |

| Item/ Point | Column/Colonne 1 | Column/Colonne 2 | Column/Colonne 3 | Column/Colonne 4 | Column/Colonne 5 |
|----------------|---|---|--|--|---|
| | Name of Board/Nom du conseil | Municipality or Former municipality/ Municipalité ou ancienne municipalité | As that municipality or former municipality existed on/Telle que cette municipalité ou ancienne municipalité existait le | Pupil Places — Elementary/Places à l'élémentaire | Pupil Places — Secondary/Places au secondaire |
| 31. | Conseil scolaire de district du Nord-Est de l'Ontario | Temiskaming Shores | September 1, 2004/ 1 ^{er} septembre 2004 | 200 | |
| 32. | Sudbury Catholic District School Board | Greater Sudbury/Grand Sudbury | September 1, 2003/ 1 ^{er} septembre 2003 | | 500 |

15. Le point 41 du tableau 17 du Règlement est abrogé et remplacé par ce qui suit :

| | | | | |
|-----|--|--|---|-----------|
| 41. | Huron Perth Catholic District School Board | | 0 | 1,823,717 |
|-----|--|--|---|-----------|

16. Le point 7 du tableau 19 du Règlement est abrogé et remplacé par ce qui suit :

| | | | | |
|----|-----|--|--------|--------|
| 7. | ALF | | 98.43% | 98.39% |
|----|-----|--|--------|--------|

17. (1) Le point 158 du tableau 20 du Règlement est abrogé et remplacé par ce qui suit :

| | | | | | |
|------|---|-------|--------------|--|-----------------------------|
| 158. | Conseil scolaire de district catholique de l'Est ontarien | 10724 | Ange Gardien | | Township of South Glengarry |
|------|---|-------|--------------|--|-----------------------------|

(2) Le tableau 20 du Règlement est modifié par adjonction du point suivant :

| | | | | | |
|-------|---|-------|-----------|--|-----------------------------|
| 158.1 | Conseil scolaire de district catholique de l'Est ontarien | 10725 | Le Relais | | Township of North Glengarry |
|-------|---|-------|-----------|--|-----------------------------|

(3) Le tableau 20 du Règlement est modifié par adjonction du point suivant :

| | | | | | |
|-------|--|-------|-----------------------------|--|--------------------|
| 191.1 | Conseil scolaire de district catholique des Aurores boréales | 10768 | Immaculée-Conception, É. s. | | Township of Ignace |
|-------|--|-------|-----------------------------|--|--------------------|

(4) Le tableau 20 du Règlement est modifié par adjonction du point suivant :

| | | | | | |
|-------|---|-------|--|---|---------------------|
| 218.1 | Conseil scolaire de district catholique du Nouvel-Ontario | 10618 | | École secondaire Jeunesse Nord, Blind River | Town of Blind River |
|-------|---|-------|--|---|---------------------|

(5) Le tableau 20 du Règlement est modifié par adjonction du point suivant :

| | | | | | |
|-------|---|-------|----------------------------------|--|----------------------------|
| 255.1 | Conseil scolaire de district du Nord-Est de l'Ontario | 10767 | E-P Temiskaming-Sud - Haileybury | | City of Temiskaming Shores |
|-------|---|-------|----------------------------------|--|----------------------------|

(6) Les points 482 à 491 du tableau 20 du Règlement sont modifiés par substitution de «Huron Perth» à «Huron-Perth» partout où figure ce terme.

(7) Le tableau 20 du Règlement est modifié par adjonction des points suivants :

| | | | | | |
|-------|--|-------|----------------------------|--|-----------------|
| 491.1 | Huron Perth Catholic District School Board | 10764 | St. Joseph Separate School | | County of Huron |
| 491.2 | Huron Perth Catholic District School Board | 10765 | St. Mary's Separate School | | County of Perth |

ONTARIO REGULATION 16/06

made under the

EDUCATION ACT

Made: February 3, 2006

Filed: February 6, 2006

Published on e-Laws: February 7, 2006

Printed in *The Ontario Gazette*: February 25, 2006

Amending Reg. 291 of R.R.O. 1990

(District School Areas)

Note: Regulation 291 has previously been amended. Those amendments are listed in the Table of Regulations -- Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. The Schedule to section 12 of Regulation 291 of the Revised Regulations of Ontario, 1990 is amended by striking out "two miles" and substituting "two metres".

08/06

ONTARIO REGULATION 17/06

made under the

PUBLIC ACCOUNTING ACT, 2004

Made: February 3, 2006

Filed: February 6, 2006

Published on e-Laws: February 7, 2006

Printed in *The Ontario Gazette*: February 25, 2006

Amending O. Reg. 238/05

(General)

Note: Ontario Regulation 238/05 has not previously been amended.

1. Section 6 of Ontario Regulation 238/05 is revoked and the following substituted:

Transition

6. (1) For the purposes of subsections 44 (1), (2), (3) and (5) of the Act, December 31, 2006 is the prescribed date.

(2) For the purpose of dealing with problems arising as a result of the repeal of the *Public Accountancy Act* and the enactment of the *Public Accounting Act, 2004*, a person who applies for licensing as a public accountant under subsection 14 (1) of the *Public Accountancy Act* on or before June 30, 2006, is deemed to have met the application deadline set out in subsection 44 (3) of the *Public Accounting Act, 2004*.

(3) For the purposes of subsection 44 (7) of the Act, July 31, 2006 is the prescribed date.

RÈGLEMENT DE L'ONTARIO 17/00
pris en application de la
LOI DE 2004 SUR L'EXPERTISE COMPTABLE

pris le 3 février 2006
déposé le 6 février 2006
publié sur le site Lois-en-ligne le 7 février 2006
imprimé dans la *Gazette de l'Ontario* le 25 février 2006

modifiant le Règl. de l'Ont. 238/05
(Dispositions générales)

Remarque : Le Règlement de l'Ontario 238/05 n'a pas été modifié antérieurement.

1. L'article 6 du Règlement de l'Ontario 238/05 est abrogé et remplacé par ce qui suit :

Dispositions transitoires

6. (1) Pour l'application des paragraphes 44 (1), (2), (3) et (5) de la Loi, le 31 décembre 2006 est la date prescrite.

(2) En vue de traiter des problèmes découlant de l'abrogation de la *Loi sur la comptabilité publique* et de l'édiction de la *Loi de 2004 sur l'expertise comptable*, la personne qui fait une demande de permis à titre d'expert-comptable en application du paragraphe 14 (1) de la *Loi sur la comptabilité publique* au plus tard le 30 juin 2006, est réputée avoir respecté la date limite de présentation des demandes énoncée au paragraphe 44 (3) de la *Loi de 2004 sur l'expertise comptable*.

(3) Pour l'application du paragraphe 44 (7) de la Loi, le 31 juillet 2006 est la date prescrite.

08/06

ONTARIO REGULATION 18/06
made under the
EMPLOYMENT STANDARDS ACT, 2000

Made: February 3, 2006
Filed: February 6, 2006
Published on e-Laws: February 7, 2006
Printed in *The Ontario Gazette*: February 25, 2006

Amending O. Reg. 285/01
(Exemptions, Special Rules and Establishment of Minimum Wage)

Note: Ontario Regulation 285/01 has previously been amended. Those amendments are listed in the [Table of Regulations – Legislative History Overview](#) which can be found at www.e-Laws.gov.on.ca.

1. Section 18 of Ontario Regulation 285/01 is revoked and the following substituted:

Highway transport

18. (1) Despite Part VIII of the Act, the employer shall pay an employee to whom this subsection applies overtime pay for each hour worked in excess of 60 hours in a work week, at an amount not less than one and one-half times the employee's regular rate.

(2) Subsection (1) applies to an employee who is the driver of any of the following:

1. A truck whose operator held an operating licence under the former Act on December 31, 2005.
2. A truck whose operator held a certificate of intercorporate exemption under the former Act on December 31, 2005, if after that date the truck is operated to carry, for compensation, goods of another person who is not an affiliated corporation under the former Act, such that the operator would be required to hold an operating licence under the former Act if it were still in force.
3. A truck that is operated to carry goods of another person for compensation, if the operator,

i. did not hold an operating licence or a certificate of intercorporate exemption under the former Act on December 31, 2005, and

ii. would be required to hold an operating licence under the former Act if it were still in force.

(3) For the purposes of paragraph 2 of subsection (2), subsection 3 (6) of the former Act does not apply.

(4) For the purposes of subparagraph 3 ii of subsection (2), subsections 3 (5) and (6) of the former Act do not apply.

(5) Subsection (1) does not apply to an employee to whom section 17 applies.

(6) For the purposes of this section, in computing the number of hours worked by an employee in a week, only the hours during which he or she is directly responsible for the truck shall be included.

(7) In this section,

“commercial motor vehicle” has the same meaning as in the former Act; (“véhicule automobile utilitaire”)

“former Act” means the *Truck Transportation Act*; (“ancienne loi”)

“operate” has the same meaning as in the former Act, and “operator” has a corresponding meaning; (“exploiter”, “exploitant”)

“truck” means a commercial motor vehicle or the combination of a commercial motor vehicle and trailer or trailers drawn by it. (“camion”)

RÈGLEMENT DE L'ONTARIO 18/06

pris en application de la

LOI DE 2000 SUR LES NORMES D'EMPLOI

pris le 3 février 2006

déposé le 6 février 2006

publié sur le site Lois-en-ligne le 7 février 2006

imprimé dans la *Gazette de l'Ontario* le 25 février 2006

modifiant le Règl. de l'Ont. 285/01

(Exemptions, règles spéciales et fixation du salaire minimum)

Remarque : Le Règlement de l'Ontario 285/01 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des règlements qui se trouve sur le site www.lois-en-ligne.gouv.on.ca.

1. L'article 18 du Règlement de l'Ontario 285/01 est abrogé et remplacé par ce qui suit :

Transport routier

18. (1) Malgré la partie VIII de la Loi, dans le cas d'un employé à qui s'applique le présent paragraphe, l'employeur rémunère ses heures supplémentaires selon un taux équivalant à au moins son taux horaire normal majoré de 50 pour cent par heure de travail en sus de 60 heures par semaine de travail.

(2) Le paragraphe (1) s'applique aux employés qui sont les conducteurs de l'un ou l'autre des camions suivants :

1. Un camion dont l'exploitant détenait, le 31 décembre 2005, un permis d'exploitation délivré en vertu de l'ancienne loi.
2. Un camion dont l'exploitant détenait, le 31 décembre 2005, un certificat d'exemption entre personnes morales délivré en vertu de l'ancienne loi et qui, après cette date, est exploité pour transporter, moyennant rémunération, des biens d'une autre personne qui n'est pas une personne morale membre du même groupe au sens de la même loi de telle façon que l'exploitant serait tenu de détenir un permis d'exploitation délivré en vertu de cette loi si elle était encore en vigueur.
3. Un camion qui est exploité pour transporter des biens d'une autre personne moyennant rémunération si l'exploitant réunit les conditions suivantes :
 - i. le 31 décembre 2005, il ne détenait pas de permis d'exploitation ou de certificat d'exemption entre personnes morales délivré en vertu de l'ancienne loi,
 - ii. il serait tenu de détenir un permis d'exploitation délivré en vertu de l'ancienne loi si elle était encore en vigueur.

(3) Pour l'application de la disposition 2 du paragraphe (2), le paragraphe 3 (6) de l'ancienne loi ne s'applique pas.

... pour l'application de la sous-section 41 (1) du paragraphe (2), les paragraphes 1 (a), 1 (b) et 1 (c) de l'ancienne loi ne s'appliquent pas.

(5) Le paragraphe (1) ne s'applique pas aux employés auxquels s'applique l'article 17.

(6) Pour l'application du présent article, seules les heures pendant lesquelles l'employé est directement responsable du camion entrent dans le calcul des heures de travail qu'il a effectuées au cours d'une semaine.

(7) Les définitions qui suivent s'appliquent au présent article.

«ancienne loi» La *Loi sur le camionnage*. («former Act»)

«camion» Véhicule automobile utilitaire ou un ensemble formé d'un véhicule automobile utilitaire tractant une ou plusieurs remorques. («truck»)

«exploiter» S'entend au sens de l'ancienne loi. Le terme «exploitant» a un sens correspondant. («operate», «operator»)

«véhicule automobile utilitaire» S'entend au sens de l'ancienne loi. («commercial motor vehicle»)

08/06

ONTARIO REGULATION 19/06

made under the

ONTARIO WORKS ACT, 1997

Made: February 3, 2006

Filed: February 6, 2006

Published on e-Laws: February 7, 2006

Printed in *The Ontario Gazette*: February 25, 2006

Amending O. Reg. 134/98

(General)

Note: Ontario Regulation 134/98 has previously been amended. Those amendments are listed in the [Table of Regulations – Legislative History Overview](#) which can be found at www.e-Laws.gov.on.ca.

1. Paragraph 6 of subsection 41 (1) of Ontario Regulation 134/98 is revoked and the following substituted:

6. For the month in which an approved health professional confirms that a member of the benefit unit is pregnant and for each succeeding month up to and including the month in which the pregnancy ends, and subsequently, if the member of the benefit unit is breast-feeding, for each succeeding month up to and including the month in which the infant is 12 months of age, a nutritional allowance equal to,
- i. \$50, if an approved health professional confirms that the person requires a non-dairy diet, or
 - ii. \$40, otherwise.

2. (1) Paragraph 6 of subsection 44 (1) of the Regulation is revoked and the following substituted:

6. For the month in which an approved health professional confirms that a member of the benefit unit is pregnant and for each succeeding month up to and including the month in which the pregnancy ends, and subsequently, if the member of the benefit unit is breast-feeding, for each succeeding month up to and including the month in which the infant is 12 months of age, a nutritional allowance equal to,
- i. \$50, if an approved health professional confirms that the person requires a non-dairy diet, or
 - ii. \$40, otherwise.

(2) Paragraph 6 of subsection 44 (2) of the Regulation is revoked and the following substituted:

6. For the month in which an approved health professional confirms that a dependant of the dependant is pregnant and for each succeeding month up to and including the month in which the pregnancy ends, and subsequently, if the dependant of the dependant is breast-feeding, for each succeeding month up to and including the month in which the infant is 12 months of age, a nutritional allowance equal to,
- i. \$50, if an approved health professional confirms that the person requires a non-dairy diet, or
 - ii. \$40, otherwise.

(3) Paragraph 5 of subsection 44 (3) of the Regulation is revoked and the following substituted:

5. For the month in which an approved health professional confirms that a member of the benefit unit is pregnant and for each succeeding month up to and including the month in which the pregnancy ends, and subsequently, if the member of the benefit unit is breast-feeding, for each succeeding month up to and including the month in which the infant is 12 months of age, a nutritional allowance equal to,
- i. \$50, if an approved health professional confirms that the person requires a non-dairy diet, or
 - ii. \$40, otherwise.

3. Clause 57 (5) (e) of the Regulation is revoked and the following substituted:

- (e) for the month in which an approved health professional confirms that the child is pregnant and for each succeeding month up to and including the month in which the pregnancy ends, and subsequently, if the child is breast-feeding, for each succeeding month up to and including the month in which the infant is 12 months of age, a nutritional allowance equal to,
- (i) \$50, if an approved health professional confirms that the child requires a non-dairy diet, or
 - (ii) \$40, otherwise.

4. This Regulation shall be deemed to have come into force on November 1, 2005.

RÈGLEMENT DE L'ONTARIO 19/06

pris en application de la

LOI DE 1997 SUR LE PROGRAMME ONTARIO AU TRAVAIL

pris le 3 février 2006

déposé le 6 février 2006

publié sur le site Lois-en-ligne le 7 février 2006

imprimé dans la *Gazette de l'Ontario* le 25 février 2006

modifiant le Règl. de l'Ont. 134/98

(Dispositions générales)

Remarque : Le Règlement de l'Ontario 134/98 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des règlements qui se trouve sur le site www.lois-en-ligne.gouv.on.ca.

1. La disposition 6 du paragraphe 41 (1) du Règlement de l'Ontario 134/98 est abrogée et remplacée par ce qui suit :

6. Pour le mois au cours duquel un professionnel de la santé agréé confirme qu'un membre du groupe de prestataires est une personne enceinte et pour chacun des mois suivants jusqu'au mois au cours duquel la grossesse prend fin et y compris ce mois, et par la suite, si le membre du groupe de prestataires allaite, pour chacun des mois suivants jusqu'au mois au cours duquel le nourrisson atteint l'âge de 12 mois et y compris ce mois, une allocation nutritionnelle s'élevant, selon le cas :
- i. à 50 \$, si un professionnel de la santé agréé confirme que le membre du groupe de prestataires a besoin d'un régime excluant les produits laitiers,
 - ii. à 40 \$, dans les autres cas.

2. (1) La disposition 6 du paragraphe 44 (1) du Règlement est abrogée et remplacée par ce qui suit :

6. Pour le mois au cours duquel un professionnel de la santé agréé confirme qu'un membre du groupe de prestataires est une personne enceinte et pour chacun des mois suivants jusqu'au mois au cours duquel la grossesse prend fin et y compris ce mois, et par la suite, si le membre du groupe de prestataires allaite, pour chacun des mois suivants jusqu'au mois au cours duquel le nourrisson atteint l'âge de 12 mois et y compris ce mois, une allocation nutritionnelle s'élevant, selon le cas :
- i. à 50 \$, si un professionnel de la santé agréé confirme que le membre du groupe de prestataires a besoin d'un régime excluant les produits laitiers,
 - ii. à 40 \$, dans les autres cas.

La disposition 5 du paragraphe 44 (3) du Règlement est abrogée et remplacée par ce qui suit :

6. Pour le mois au cours duquel un professionnel de la santé agréé confirme qu'une personne à charge de la personne à charge est une personne enceinte et pour chacun des mois suivants jusqu'au mois au cours duquel la grossesse prend fin et y compris ce mois, et par la suite, si la personne à charge de la personne à charge allaite, pour chacun des mois suivants jusqu'au mois au cours duquel le nourrisson atteint l'âge de 12 mois et y compris ce mois, une allocation nutritionnelle s'élevant, selon le cas :

- i. à 50 \$, si un professionnel de la santé agréé confirme que la personne à charge de la personne à charge a besoin d'un régime excluant les produits laitiers,
- ii. à 40 \$, dans les autres cas.

(3) La disposition 5 du paragraphe 44 (3) du Règlement est abrogée et remplacée par ce qui suit :

5. Pour le mois au cours duquel un professionnel de la santé agréé confirme qu'un membre du groupe de prestataires est une personne enceinte et pour chacun des mois suivants jusqu'au mois au cours duquel la grossesse prend fin et y compris ce mois, et par la suite, si le membre du groupe de prestataires allaite, pour chacun des mois suivants jusqu'au mois au cours duquel le nourrisson atteint l'âge de 12 mois et y compris ce mois, une allocation nutritionnelle s'élevant, selon le cas :

- i. à 50 \$, si un professionnel de la santé agréé confirme que le membre du groupe de prestataires a besoin d'un régime excluant les produits laitiers,
- ii. à 40 \$, dans les autres cas.

3. L'alinéa 57 (5) e) du Règlement est abrogé et remplacé par ce qui suit :

- e) pour le mois au cours duquel un professionnel de la santé agréé confirme que l'enfant est une personne enceinte et pour chacun des mois suivants jusqu'au mois au cours duquel la grossesse prend fin et y compris ce mois, et par la suite, si l'enfant allaite, pour chacun des mois suivants jusqu'au mois au cours duquel le nourrisson atteint l'âge de 12 mois et y compris ce mois, une allocation nutritionnelle s'élevant, selon le cas :

- i. à 50 \$, si un professionnel de la santé agréé confirme que l'enfant a besoin d'un régime excluant les produits laitiers,
- ii. à 40 \$, dans les autres cas.

4. Le présent règlement est réputé être entré en vigueur le 1^{er} novembre 2005.

08/06

ONTARIO REGULATION 20/06

made under the

ONTARIO DISABILITY SUPPORT PROGRAM ACT, 1997

Made: February 3, 2006

Filed: February 6, 2006

Published on e-Laws: February 7, 2006

Printed in *The Ontario Gazette*: February 25, 2006

Amending O. Reg. 222/98

(General)

Note: Ontario Regulation 222/98 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Paragraph 5 of subsection 30 (1) of Ontario Regulation 222/98 is revoked and the following substituted:

5. For the month in which an approved health professional confirms that a member of the benefit unit is pregnant and for each succeeding month up to and including the month in which the pregnancy ends, and subsequently, if the member of the benefit unit is breast-feeding, for each succeeding month up to and including the month in which the infant is 12 months of age, a nutritional allowance equal to,

- i. \$50, if an approved health professional confirms that the person requires a non-dairy diet, or

ii. \$40, otherwise.

2. Paragraph 6 of subsection 33 (1) of the Regulation is revoked and the following substituted:

6. For the month in which an approved health professional confirms that a member of the benefit unit is pregnant and for each succeeding month up to and including the month in which the pregnancy ends, and subsequently, if the member of the benefit unit is breast-feeding, for each succeeding month up to and including the month in which the infant is 12 months of age, a nutritional allowance equal to,
- i. \$50, if an approved health professional confirms that the person requires a non-dairy diet, or
 - ii. \$40, otherwise.

3. This Regulation shall be deemed to have come into force on November 1, 2005.

RÈGLEMENT DE L'ONTARIO 20/06

pris en application de la

**LOI DE 1997 SUR LE PROGRAMME ONTARIEN DE SOUTIEN AUX PERSONNES
HANDICAPÉES**

pris le 3 février 2006

déposé le 6 février 2006

publié sur le site Lois-en-ligne le 7 février 2006

imprimé dans la *Gazette de l'Ontario* le 25 février 2006

modifiant le Règl. de l'Ont. 222/98

(Dispositions générales)

Remarque : Le Règlement de l'Ontario 222/98 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des règlements qui se trouve sur le site www.lois-en-ligne.gouv.on.ca.

1. La disposition 5 du paragraphe 30 (1) du Règlement de l'Ontario 222/98 est abrogée et remplacée par ce qui suit :

5. Pour le mois au cours duquel un professionnel de la santé agréé confirme qu'un membre du groupe de prestataires est une personne enceinte et pour chacun des mois suivants jusqu'au mois au cours duquel la grossesse prend fin et y compris ce mois, et par la suite, si le membre du groupe de prestataires allaite, pour chacun des mois suivants jusqu'au mois au cours duquel le nourrisson atteint l'âge de 12 mois et y compris ce mois, une allocation nutritionnelle s'élevant, selon le cas :
- i. à 50 \$, si un professionnel de la santé agréé confirme que le membre du groupe de prestataires a besoin d'un régime excluant les produits laitiers,
 - ii. à 40 \$, dans les autres cas.

2. La disposition 6 du paragraphe 33 (1) du Règlement est abrogée et remplacée par ce qui suit :

6. Pour le mois au cours duquel un professionnel de la santé agréé confirme qu'un membre du groupe de prestataires est une personne enceinte et pour chacun des mois suivants jusqu'au mois au cours duquel la grossesse prend fin et y compris ce mois, et par la suite, si le membre du groupe de prestataires allaite, pour chacun des mois suivants jusqu'au mois au cours duquel le nourrisson atteint l'âge de 12 mois et y compris ce mois, une allocation nutritionnelle s'élevant, selon le cas :
- i. à 50 \$, si un professionnel de la santé agréé confirme que le membre du groupe de prestataires a besoin d'un régime excluant les produits laitiers,
 - ii. à 40 \$, dans les autres cas.

3. Le présent règlement est réputé être entré en vigueur le 1^{er} novembre 2005.

made under the
CHILD AND FAMILY SERVICES ACT

Made: February 2, 2006
Filed: February 6, 2006
Published on e-Laws: February 7, 2006
Printed in *The Ontario Gazette*: February 25, 2006

Amending O. Reg. 206/00
(Procedures, Practices and Standards of Services for Child Protection Cases)

Note: Ontario Regulation 206/00 has not previously been amended.

1. Ontario Regulation 206/00 is amended by adding the following heading immediately before section 1:

**PART I
GENERAL**

2. The Regulation is amended by adding the following Part:

**PART II
FAMILY AND COMMUNITY PLACEMENT**

5. (1) This Part applies where,

- (a) a society has determined that a child is in need of protection and cannot be adequately protected if he or she remains with the person having charge of the child;
- (b) the child,
 - (i) has received services from the society but has not been placed in the society's care by an agreement under subsection 29 (1) or by an order made under clause 51 (2) (d), paragraph 2, 3 or 4 of subsection 57 (1) or subsection 65 (1) of the Act, or
 - (ii) has been placed in the society's care and the agreement or order described in subclause (i) will be terminated; and
- (c) the society proposes or is apprised of a plan to place the child in the care of a person who is a relative of the child or a member of the child's extended family or community in any of the following situations:
 - (i) in the context of a court proceeding for a supervision order under clause 51 (2) (c), paragraph 1 or 4 of subsection 57 (1) or subsection 65 (1) of the Act,
 - (ii) in the context of a court proceeding for an order relating to the custody of the child, or
 - (iii) where the person having charge of the child agrees to the placement.

(2) If a society proposes or is apprised of a plan to place a child with a relative or member of his or her extended family or community before the placement occurs, the society shall follow the procedures set out in section 7.

(3) If a society is apprised of a plan to place a child with a relative or member of his or her extended family or community after the child has begun living with that person, the society shall follow the procedures set out in section 8.

6. If a society proposes or is apprised of a placement plan in the circumstances described in subsection 5 (1) and the plan relates to the placement of a child who is an Indian or native child, a child protection worker shall,

- (a) use his or her best efforts to consult with the child's band or native community respecting the placement of the child before beginning to follow the procedures set out in section 7 or 8; and
- (b) if the consultation with the band or native community does not occur before the procedures set out in section 7 or 8 are begun, continue to use his or her best efforts to carry out the consultation after the procedures are begun.

7. (1) Before a child is placed in the care of a relative or member of the child's extended family or community, the society shall conduct an evaluation of the proposed plan for the care of the child to determine whether the person is capable of providing the child with a safe home environment.

(2) In an evaluation under subsection (1), the society shall use its best efforts to ensure that all of the following procedures are completed:

1. A child protection worker shall obtain information,
 - i. as to the identity of every person who is 18 years of age or older and resides in the home in which the child will be placed, and
 - ii. as to the nature of the relationship between the child and every person referred to in subparagraph i.
2. A child protection worker shall meet with the proposed primary caregiver and conduct an interview of the caregiver.
3. A child protection worker shall meet in private with the child who will be placed and conduct an interview appropriate to the child's age and developmental capacity.
4. A child protection worker or a person designated by the society shall conduct an assessment of the home environment, including an assessment of the physical aspects of the home.
5. A child protection worker shall conduct a review of the society's record and files for information relating to any person who is 18 years of age or older and resides in the home in which the child will be placed.

(3) As soon as practicable but no later than 30 days after completing the evaluation under subsection (1), a child protection worker shall document the evaluation.

(4) After the child is placed in the care of a relative or member of the child's extended family or community, the society shall use its best efforts to ensure that the following procedures and practices are followed:

1. Within seven days of being apprised that the placement has occurred, a child protection worker shall,
 - i. conduct a home visit to the home in which the child was placed,
 - ii. shall meet in private with the child and conduct an interview appropriate to the child's age and developmental capacity, and
 - iii. contact every person who is 18 years of age or older and resides in the home in order to obtain the person's consent to a criminal record check and to the disclosure of information by any children's aid society or any child protection authority in a jurisdiction outside Ontario.
2. As soon as practicable but no later than seven days after the society obtains the consent requested of a person under subparagraph 1 iii, the society shall,
 - i. make a request to the appropriate authority in any jurisdiction in which the person has resided for a verification of the person's criminal record, and
 - ii. if the person has resided in the past in an area outside of the society's jurisdiction, make a request to any children's aid society in Ontario or any child protection authority outside Ontario for any information or records they may have relating to the person.
3. As soon as practicable but no later than seven days after the information requested under paragraph 2 is received, the society shall review the information and document any decisions and actions it proposes to take with respect to the information.
4. Within 30 days of being apprised that the placement has occurred, a child protection worker shall,
 - i. conduct a second home visit to the home in which the child was placed,
 - ii. shall meet in private with the child and conduct an interview appropriate to the child's age and developmental capacity,
 - iii. conduct an interview with the primary caregiver, and
 - iv. ensure that the placement plan relating to the child is reviewed by a children's aid society's supervisor.

(5) Within seven days of receiving a request for information from another society under subparagraph 2 ii of subsection (4), a society shall respond to the request and the response shall indicate whether or not any information relating to the person specified in the request exists in the society's files or records.

8. (1) If a society is apprised of a plan to place a child with a relative or member of his or her extended family or community after the child has begun living with that person, the society shall,

- (a) conduct an evaluation of the placement to determine whether the person is providing the child with a safe home environment and is capable of continuing to do so; and
- (b) use its best efforts to ensure that the procedures set out in subsections (4), (5) and (6) are followed after the evaluation is complete.

later than seven days after a society is apprised of the fact that a child has been placed with a relative or member of his or her extended family or community,

- (a) all of the procedures set out in subsection 7 (2), with necessary modifications, are completed; and
 - (b) a child protection worker shall contact every person who is 18 years of age or older and resides in the home in order to obtain the person's consent to a criminal record check and to the disclosure of information by any children's aid society or any child protection authority in a jurisdiction outside Ontario.
- (3) As soon as practicable but no later than 30 days after completing the procedures for an evaluation under clause (2) (a), the child protection worker shall document the evaluation.
- (4) As soon as practicable, but no later than seven days, after the society obtains the consent requested of a person under clause (2) (b), the society shall,
- (a) make a request to the appropriate authority in any jurisdiction in which the person has resided for a verification of the person's criminal record; and
 - (b) if the person has resided in the past in an area outside of the society's jurisdiction, make a request to any children's aid society in Ontario or any child protection authority outside Ontario for any information or records they may have relating to the person.
- (5) As soon as practicable but no later than seven days after the information requested under subsection (4) is received, the society shall review the information and document any decisions and actions it proposes to take with respect to the information.
- (6) Within 30 days of being apprised that the placement has occurred, a child protection worker shall follow the procedures set out in paragraph 4 of subsection 7 (4).
9. Within seven days of receiving a request for information from another society under clause 8 (4) (b), a society shall respond to the request and the response shall indicate whether or not any information relating to the person specified in the request exists in the society's files or records.
10. If all of the procedures set out in this Part have not been followed with respect to a particular matter, a society shall document,
- (a) the circumstances and reasons why specified procedures were not followed; and
 - (b) any additional steps that were taken with respect to the matter.
11. If a child is to be placed with a relative or member of his or her extended family or community and that person resides outside of the jurisdiction of the society involved with the child's case,
- (a) in the case of a relative or member of the child's extended family or community who lives in another jurisdiction in Ontario, the society may refer the matter to the society in that jurisdiction so that it can carry out all or part of the procedures under this Part; and
 - (b) in the case of a relative or member of the child's extended family or community who lives outside Ontario, the society may request the assistance of another child protection authority in that jurisdiction.

Made by:

MARY ANNE V. CHAMBERS
Minister of Children and Youth Services

Date made: February 2, 2006.

08/06

ONTARIO REGULATION 22/06

made under the

NURSING ACT, 1991

Made: October 19, 2005

Approved: February 3, 2006

Filed: February 6, 2006

Published on e-Laws: February 7, 2006

Printed in *The Ontario Gazette*: February 25, 2006

Amending O. Reg. 275/94
(General)

Note: Ontario Regulation 275/94 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Section 8 of Ontario Regulation 275/94 is revoked and the following substituted:

8. (1) Subject to subsection (2), a person who formerly held a general or extended certificate or a certificate under Part IV of the *Health Disciplines Act*, and who applies for a certificate of registration under the Act in the same membership class, shall be deemed to have met the requirements set out in section 6 or 11.1 that are applicable to the class of certificate equivalent to the one that the person previously held, if he or she satisfies the Executive Director that he or she,

- (a) graduated within the past five years from a program in nursing that was a requirement for the issuance of his or her previous certificate of registration;
- (b) has no need for additional education or experience based on evidence of safe nursing practice during the past five years; or
- (c) has successfully completed any additional educational requirements that may be determined by the Registration Committee.

(2) Subsection (1) does not apply to a person whose certificate of registration was revoked or suspended by the Executive Director in accordance with an order of the Discipline Committee, the Fitness to Practise Committee, the Registration Committee, or a panel of any of those committees.

(3) An application referred to in subsection (1) shall be treated, in all other respects, as an initial application for registration.

2. Subsection 12.1 (6) of the Regulation is revoked and the following substituted:

(6) A member holding a retired certificate of registration as a registered nurse or as a registered practical nurse may apply for the reinstatement of the general or extended class certificate that he or she previously held by submitting a completed application to the Executive Director in the form provided by the Executive Director.

(7) The Executive Director shall reinstate the general or extended class certificate that the member previously held upon the approval of and subject to any terms, conditions or limitations that the Registration Committee considers appropriate, if the member,

- (a) has paid the required reinstatement fee;
- (b) has paid the annual fee applicable to the class of certificate being reinstated for the year in which the reinstatement occurs, less any amount previously paid by the member as an annual fee for that year; and
- (c) has satisfied the Executive Director that he or she,
 - (i) has no need for additional education or experience based on evidence of safe nursing practice during the past five years, or
 - (ii) has successfully completed any additional education requirements determined by the Registration Committee.

3. Section 13 of the Regulation is revoked and the following substituted:

REINSTATEMENT

13. (1) A former member who resigned as a member or whose certificate of registration was suspended for failure to pay a required fee may apply for the reinstatement of the general or extended class certificate which he or she previously held by submitting a completed application to the Executive Director in the form provided by the Executive Director.

- (2) Subject to subsection (3), the Executive Director may reinstate the former member's certificate of registration if,
 - (a) the former member has paid the following amounts:

- (ii) the annual fee for the year in which the certificate of registration is to be reinstated, if not previously paid,
 - (iii) any other money owing to the College at the date the application for reinstatement is submitted, including any penalty fees that were due at the time that he or she ceased to be a member; and
- (b) the former member has satisfied the Executive Director that he or she,
- (i) graduated within the past five years from a program in nursing that was a requirement for the issuance of the certificate of registration that is the subject of the application for reinstatement,
 - (ii) has no need for additional education or experience based on evidence of safe nursing practice during the past five years, or
 - (iii) has successfully completed any additional education requirements that may be determined by the Registration Committee.
- (3) A former member is ineligible for reinstatement under subsection (2) if he or she,
- (a) is the subject of a proceeding for professional misconduct, incompetence or incapacity in Ontario or in another jurisdiction in relation to the nursing profession or another health profession, or was the subject of such a proceeding, other than a proceeding that was completed on its merits;
 - (b) is the subject of an inquiry or investigation by the Executive Director, a committee, a panel of a committee or a board of inquiry of the College, or was the subject of such an inquiry or investigation, that was not completed on its merits or which resulted in the member's resignation;
 - (c) was, at the time he or she ceased to be a member, the subject of an outstanding order of a committee, a panel of a committee, or a board of inquiry of the College;
 - (d) was, at the time he or she ceased to be a member, in breach of an order of a committee, a panel of a committee, or a board of inquiry of the College;
 - (e) was, at the time he or she ceased to be a member, in violation of a decision of a panel of the Complaints Committee, including a decision requiring the member to attend to be cautioned;
 - (f) was, at the time he or she ceased to be a member, in breach of any written agreement with or undertaking provided to the College; or
 - (g) had, at the time he or she ceased to be a member, terms, conditions or limitations on his or her certificate of registration, other than those applicable to all members of the class of certificate of registration previously held by the former member.
- (4) Nothing in this section prevents a former member who resigned as a member or whose certificate of registration was suspended for failure to pay a required fee from making an application for a new certificate of registration.
- 13.1** If a former member's certificate of registration is ordered to be reinstated by a panel of the Discipline Committee or the Fitness to Practise Committee, the Executive Director shall reinstate the certificate of registration upon payment of,
- (a) the required reinstatement fee; and
 - (b) the annual fee for the year in which the certificate of registration is to be reinstated, if not previously paid.

Made by:

COUNCIL OF THE COLLEGE OF NURSES OF ONTARIO:

ANNE L. COGHLAN
Executive Director

SANDRA KEATING
President

Date made: October 19, 2005.

ONTARIO REGULATION 23/06

made under the

FISH AND WILDLIFE CONSERVATION ACT, 1997

Made: February 3, 2006

Filed: February 6, 2006

Published on e-Laws: February 8, 2006

Printed in *The Ontario Gazette*: February 25, 2006

Amending O. Reg. 665/98

(Hunting)

Note: Ontario Regulation 665/98 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Subsection 59 (2) of Ontario Regulation 665/98 is revoked and the following substituted:

(2) The holder of a resident licence to hunt bear shall complete the questionnaire relating to the hunting activities carried out under that licence in the form established by the Minister and return it to the office of the Ministry specified in the questionnaire by December 15 in the year of the hunt.

2. Subsection 66 (1) of the Regulation is revoked and the following substituted:

(1) A person shall not carry or discharge a firearm, other than a long-bow or a cross-bow, for the purpose of hunting on a Sunday, in any area lying south of the French and Mattawa rivers except those municipalities listed in Part 7 of Ontario Regulation 663/98 (Area Descriptions) made under the Act.

3. Subparagraph 1 ii of subsection 86 (1) of the Regulation is amended by adding “43.1.2” after “43.1.1”.

4. (1) Subject to subsection (2), this Regulation comes into force on the day it is filed.

(2) Sections 2 and 3 come into force on September 1, 2006.

08/06

ONTARIO REGULATION 24/06

made under the

FISH AND WILDLIFE CONSERVATION ACT, 1997

Made: January 18, 2006

Filed: February 6, 2006

Published on e-Laws: February 8, 2006

Printed in *The Ontario Gazette*: February 25, 2006

Amending O. Reg. 663/98

(Area Descriptions)

Note: Ontario Regulation 663/98 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Ontario Regulation 663/98 is amended by adding the following Part:

PART 7

AREAS SOUTH OF THE FRENCH AND MATTAWA RIVERS WHERE SUNDAY GUN HUNTING IS PERMITTED

7. The municipalities referred to in Schedule 1 are the areas south of the French and Mattawa rivers where it is permitted to hunt with a gun on Sundays under Ontario Regulation 665/98 (Hunting) made under the Act.

S U M M A R Y

| Municipality | Geographic Area |
|---|--------------------------------|
| Algonquin Highlands, Township of | Haliburton |
| Alnwick/Haldimand, Township of | Northumberland |
| Amherstburg, Town of | Essex |
| Armour, Township of | Parry Sound |
| Arran-Elderslie, Municipality of | Bruce |
| Augusta, Township of | Leeds and Grenville |
| Bayham, Municipality of | Elgin |
| Blair, Brown, East Mills, Hardy, Henvy, Lount, McConkey, Mowat, Patterson, Pringle, Wallbridge, Wilson, Geographic Townships of | Parry Sound |
| Blandford-Blenheim, Township of | Oxford |
| Bluewater, Municipality of | Huron |
| Bonfield, Township of | Nipissing |
| Boyd, Lauder, Geographic Townships of | Nipissing |
| Bracebridge, Town of | Muskoka |
| Brock, Township of | Durham |
| Calvin, Township of | Nipissing |
| Carlow/Mayo, Township of | Hastings |
| Clearview, Township of | Simcoe |
| Cramahe, Township of | Northumberland |
| Dawn-Euphemia, Township of | Lambton |
| Dysart, Dudley, Harcourt, Guilford, Harburn, Bruton, Havelock, Eyre and Clyde, United Townships of | Haliburton |
| East Ferris, Township of | Nipissing |
| Edwardsburgh/Cardinal, Township of | Leeds and Grenville |
| Elizabethtown-Kitley, Township of | Leeds and Grenville |
| Essa, Township of | Simcoe |
| Faraday, Township of | Hastings |
| Fort Erie, Town of | Niagara |
| Georgian Bluffs, Township of | Grey |
| Georgina, Town of | York |
| Goderich, Town of | Huron |
| Grimsby, Town of | Niagara |
| Hastings Highlands, Municipality of | Hastings |
| Harrison, Geographic Township of, except that part in The Archipelago, Township of | Parry Sound |
| Havelock-Belmont-Methuen, Township of | Peterborough |
| Huron East, Municipality of | Huron |
| Kearney, Town of | Parry Sound |
| Killarney, Town of | Sudbury |
| Kingsville, Town of | Essex |
| Leamington, Municipality of | Essex |
| Leeds and the Thousand Islands, Township of | Leeds and Grenville |
| Limerick, Township of | Hastings |
| Marmora and Lake, Municipality of | Hastings |
| Meaford, Municipality of | Grey |
| Newbury, Village of | Middlesex |
| Nipissing, Township of | Parry Sound |
| Norfolk County | Norfolk |
| North Dumfries, Township of | Waterloo |
| North Dundas, Township of | Stormont, Dundas and Glengarry |
| North Stormont, Township of | Stormont, Dundas and Glengarry |
| Northern Bruce Peninsula, Municipality of | Bruce |
| Ottawa, City of | Ottawa |
| Papineau-Cameron, Township of | Nipissing |
| Pelee, Township of | Essex |
| Port Hope, Municipality of | Northumberland |
| Powassan, Municipality of | Parry Sound |
| Prescott and Russell, United Counties of | Prescott and Russell |
| Quinte West, City of | Hastings |

| Municipality | Geographic Area |
|---|--------------------------------|
| Ramara, Township of | Simcoe |
| Renfrew, County of | Renfrew |
| Rideau Lakes, Township of | Leeds and Grenville |
| Sauguen Shores, Town of | Bruce |
| Shawanaga, Geographic Township of, except that part in The Archipelago, Township of | Parry Sound |
| South Algonquin, Township of | Nipissing |
| South Bruce Peninsula, Town of | Bruce |
| South Glengarry, Township of | Stormont, Dundas and Glengarry |
| South Stormont, Township of | Stormont, Dundas and Glengarry |
| Southgate, Township of | Grey |
| Stirling-Rawdon, Township of | Hastings |
| Stone Mills, Township of | Lennox and Addington |
| Tay Valley, Township of | Lanark |
| Thames Centre, Municipality of | Middlesex |
| Trent Hills, Municipality of | Northumberland |
| Tudor and Cashel, Township of | Hastings |
| Tweed, Municipality of | Hastings |
| Tyendinaga, Township of | Hastings |
| Whitby, Town of | Durham |
| Whitchurch-Stouffville, Town of | York |

2. This Regulation comes into force on September 1, 2006.

Made by:

DAVID JAMES RAMSAY
Minister of Natural Resources

Date made: January 18, 2006.

08/06

ONTARIO REGULATION 25/06
made under the
FISH AND WILDLIFE CONSERVATION ACT, 1997

Made: January 18, 2006
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Amending O. Reg. 670/98
(Open Seasons — Wildlife)

Note: Ontario Regulation 670/98 has previously been amended. Those amendments are listed in the [Table of Regulations – Legislative History Overview](#) which can be found at www.e-Laws.gov.on.ca.

1. (1) Items 10, 12, 13, 14.1, 15, 15.1, 15.2, 15.3, 15.4, 16, 17.1, 18, 20, 23, 27.1, 32, 33, 33.1, 33.2, 34, 35, 43.1 and 43.1.1 of Table 5 of Ontario Regulation 670/98 are revoked and the following substituted:

| Item | Column 1 Area (Nos. refer to WMUs unless otherwise stated) | Column 2 Open Season — Residents | Column 3 Open Season — Non-Residents | Column 4 Class of Firearm |
|------|---|---|---|------------------------------|
| 10. | 46, 48, 49, 50, 53A, 57, 58 | From October 15 to the Sunday immediately prior to the first Monday in November, in any year. AND: From the third Monday in November to November 30, in any year. | From October 15 to the Sunday immediately prior to the first Monday in November, in any year. AND: From the third Monday in November to November 30, in any year. | 1 |

| Item | Column 1 Area (Nos. refer to WMUs unless otherwise stated) | Column 2 Open Season — Residents | Column 3 Open Season — Non-Residents | Column 4 Class of Firearm |
|------|--|--|--|------------------------------|
| 12. | 54, excluding those parts of WMU 54 which lie within the boundaries of Algonquin Provincial Park, 56 | From October 1 to the Sunday immediately prior to the first Monday in November, in any year. AND: From the third Monday in November to November 30, in any year. | From October 1 to the Sunday immediately prior to the first Monday in November, in any year. AND: From the third Monday in November to November 30, in any year. | 1 |
| 13. | 55A | From October 15 to the Sunday immediately prior to the first Monday in November, in any year. AND: From the third Monday in November to the fifth Sunday following, in any year. | From October 15 to the Sunday immediately prior to the first Monday in November, in any year. AND: From the third Monday in November to the fifth Sunday following, in any year. | 1 |

| Item | Column 1 Area (Nos. refer to WMUs unless otherwise stated) | Column 2 Open Season — Residents | Column 3 Open Season — Non-Residents | Column 4 Class of Firearm |
|------|---|---|---|------------------------------|
| 14.1 | 59 | From October 15 to the Sunday immediately prior to the first Monday in November, in any year. AND: From the third Monday in November to the Sunday immediately prior to the Monday next following November 28, in any year. AND: From the second Monday next following November 28 to December 31, in any year. | From October 15 to the Sunday immediately prior to the first Monday in November, in any year. AND: From the third Monday in November to the Sunday immediately prior to the Monday next following November 28, in any year. AND: From the second Monday next following November 28 to December 31, in any year. | 1 |
| 15. | 60, 61, 62 | From October 15 to the Sunday immediately prior to the first Monday in November, in any year. AND: From the third Monday in November to December 15, in any year. | From October 15 to the Sunday immediately prior to the first Monday in November, in any year. AND: From the third Monday in November to December 15, in any year. | 1 |
| 15.1 | 63A | From October 15 to the Sunday immediately prior to the first Monday in November, in any year. AND: From the third Monday in November to the Sunday immediately prior to the Monday next following November 28. AND: From the second Monday next following November 28 to December 15, in any year. | From October 15 to the Sunday immediately prior to the first Monday in November, in any year. AND: From the third Monday in November to the Sunday immediately prior to the Monday next following November 28. AND: From the second Monday next following November 28 to December 15, in any year. | 1 |

| Item | Column 1 | Column 2 | Column 3 | Column 4 |
|------|---|---|---|------------------|
| | Area (Nos. refer to WMUs unless otherwise stated) | Open Season — Residents | Open Season — Non-Residents | Class of Firearm |
| 15.2 | 63B | From October 1 to the Sunday immediately prior to the first Monday in November, in any year. AND: From the third Monday in November to the Sunday immediately prior to the Monday next following November 28. AND: From the second Monday next following November 28 to December 31 in any year. | From October 1 to the Sunday immediately prior to the first Monday in November, in any year. AND: From the third Monday in November to the Sunday immediately prior to the Monday next following November 28. AND: From the second Monday next following November 28 to December 31 in any year. | 1 |
| 15.3 | 64A, 64B | From October 1 to the Sunday immediately prior to the first Monday in November, in any year. AND: From the second Monday in November to the Sunday next following, in any year. AND: From the fourth Monday in November to the Sunday immediately prior to the Monday next following November 28. AND: From the second Monday next following November 28 to December 31, in any year. | From October 1 to the Sunday immediately prior to the first Monday in November, in any year. AND: From the second Monday in November to the Sunday next following, in any year. AND: From the fourth Monday in November to the Sunday immediately prior to the Monday next following November 28. AND: From the second Monday next following November 28 to December 31, in any year. | 1 |
| 15.4 | 65 | From October 15 to the Sunday immediately prior to the first Monday in November, in any year. AND: From the third Monday in November to the Sunday immediately prior to the Monday next following November 28. AND: From the second Monday next following November 28 to December 31, in any year. | From October 15 to the Sunday immediately prior to the first Monday in November, in any year. AND: From the third Monday in November to the Sunday immediately prior to the Monday next following November 28. AND: From the second Monday next following November 28 to December 31, in any year. | 1 |
| 16. | 66A, 69B | From October 1 to the Sunday immediately prior to the first Monday in November, in any year. AND: From the second Monday in November to the Sunday immediately prior to the Monday next following November 28. AND: From the second Monday next following November 28 to December 31, in any year. | From October 1 to the Sunday immediately prior to the first Monday in November, in any year. AND: From the second Monday in November to the Sunday immediately prior to the Monday next following November 28. AND: From the second Monday next following November 28 to December 31, in any year. | 1 |

| Item | Column 1 | Column 2 | Column 3 | Column 4 |
|------|---|--|--|------------------|
| | Area (Nos. refer to WMUs unless otherwise stated) | Open Season — Residents | Open Season — Non-Residents | Class of Firearm |
| 17.1 | 67, 71, 72A, 73, 74A, 75 | From October 1 to the Sunday immediately prior to the first Monday in November, in any year. AND: From the third Monday in November to the second following Sunday, in any year. AND: From the second Monday next following November 28 to December 31, in any year. | From October 1 to the Sunday immediately prior to the first Monday in November, in any year. AND: From the third Monday in November to the second following Sunday, in any year. AND: From the second Monday next following November 28 to December 31, in any year. | 1 |

| Item | Column 1 Area (Nos. refer to WMUs unless otherwise stated) | Column 2 Open Season — Residents | Column 3 Open Season — Non-Residents | Column 4 Class of Firearm |
|------|---|---|---|------------------------------|
| 18. | 68A, 68B | From October 1 to the Sunday immediately prior to the first Monday in November, in any year. AND: From the third Monday in November to December 31 in any year. | From October 1 to the Sunday immediately prior to the first Monday in November, in any year. AND: From the third Monday in November to December 31 in any year. | 1 |

| Item | Column 1 Area (Nos. refer to WMUs unless otherwise stated) | Column 2 Open Season — Residents | Column 3 Open Season — Non-Residents | Column 4 Class of Firearm |
|------|---|---|---|------------------------------|
| 20. | 69A2, 70 | From October 1 to the Sunday immediately prior to the Monday next following November 28, in any year. AND: From the second Monday next following November 28 to December 31, in any year. | From October 1 to the Sunday immediately prior to the Monday next following November 28, in any year. AND: From the second Monday next following November 28 to December 31, in any year. | 1 |

| Item | Column 1 Area (Nos. refer to WMUs unless otherwise stated) | Column 2 Open Season — Residents | Column 3 Open Season — Non-Residents | Column 4 Class of Firearm |
|------|---|--|--|------------------------------|
| 23. | 74B | From October 1 to the Sunday immediately prior to the first Monday in November, in any year. AND: From the third Monday in November to December 15, in any year. | From October 1 to the Sunday immediately prior to the first Monday in November, in any year. AND: From the third Monday in November to December 15, in any year. | 1 |

| Item | Column 1 Area (Nos. refer to WMUs unless otherwise stated) | Column 2 Open Season — Residents | Column 3 Open Season — Non-Residents | Column 4 Class of Firearm |
|------|---|--|---|------------------------------|
| 27.1 | 80 | From October 1 to the Sunday immediately prior to the first Monday in November, in any year. AND: From the second Monday in November to the third following Sunday, in any year. AND: From the second Monday next following November 28 to December 31, in any year. | Closed season | 1 |

| Item | Column 1 Area (Nos. refer to WMUs unless otherwise stated) | Column 2 Open Season — Residents | Column 3 Open Season — Non-Residents | Column 4 Class of Firearm |
|------|---|--|---|------------------------------|
| 32. | 85A, 85B, 85C, 90A, 90B | From October 1 to the Sunday immediately prior to the first Monday in November, in any year. AND: From the second Monday in November to the third Sunday following, in any year. AND: From the second Monday next following November 28 to December 31, in any year. | Closed season | 1 |

| Item | Column 1 | Column 2 | Column 3 | Column 4 |
|------|---|--|-----------------------------|------------------|
| | Area (Nos. refer to WMUs unless otherwise stated) | Open Season — Residents | Open Season — Non-Residents | Class of Firearm |
| 33. | 86A, 86B | From October 1 to the Sunday immediately prior to the Monday next following November 28, in any year. AND: From the second Monday following November 28 to December 31, in any year. | Closed season | 1 |
| 33.1 | 87B, 87C, 87D, 87E | From October 1 to the Sunday immediately prior to the first Monday in November, in any year. AND: From the second Monday in November to December 31, in any year. | Closed season | 1 |
| 33.2 | 89A, 89B | From October 1 to the Sunday immediately prior to the first Monday in November, in any year. AND: From the second Monday in November to the Sunday immediately prior to the Monday next following November 28, in any year. AND: From the second Monday next following November 28 to December 31, in any year. | Closed season | 1 |
| 34. | 91A, 91B, 92A, 92B, 92C, 92D | From October 1 to the Sunday immediately prior to the first Monday in November, in any year. AND: From the second Monday in November to the Sunday next following, in any year. AND: From the fourth Monday in November to the Sunday next following, in any year. AND: From the second Monday next following November 28 to December 31, in any year. | Closed season | 1 |
| 35. | 93A, 93B | From October 1 to the Sunday immediately prior to the Monday next following November 28, in any year. AND: From the second Monday following November 28 to December 31, in any year. | Closed season | 1 |

| Item | Column 1 | Column 2 | Column 3 | Column 4 |
|--------|---|---|---|------------------|
| | Area (Nos. refer to WMUs unless otherwise stated) | Open Season — Residents | Open Season — Non-Residents | Class of Firearm |
| 43.1. | 59 | From the Monday next following November 28 to the Sunday next following, in any year. | From the Monday next following November 28 to the Sunday next following, in any year. | 2 |
| 43.1.1 | 43A, 43B | From the Monday next following November 28 to the Saturday next following, in any year. | From the Monday next following November 28 to the Saturday next following, in any year. | 2 |

(2) Table 5 of the Regulation is amended by adding the following item:

| Item | Column 1 | Column 2 | Column 3 | Column 4 |
|--------|--|---|---|------------------|
| | Area (Nos. refer to WMUs unless otherwise stated) | Open Season — Residents | Open Season — Non-Residents | Class of Firearm |
| 43.1.2 | 63A, 63B, 64A, 64B, 65, 66A, 67, 69B, 71, 72A, 73, 74A, 75 | From the Monday next following November 28 to the Sunday next following, in any year. | From the Monday next following November 28 to the Sunday next following, in any year. | 2 |

following substituted:

| Item | Column 1 Area (Nos. refer to WMUs unless otherwise stated) | Column 2 Open Season — Residents | Column 3 Open Season — Non-Residents | Column 4 Class of Firearm |
|------|--|--|--|---------------------------------|
| 43.2 | 80 | From the Monday next following November 28 to the Sunday next following, in any year. | Closed season | 2 |
| 44. | 64B | From the first Monday in November to the Sunday next following, in any year. AND: From the third Monday in November to the Sunday next following, in any year. | From the first Monday in November to the Sunday next following, in any year. AND: From the third Monday in November to the Sunday next following, in any year. | 3 |
| 45. | 69B | From the first Monday in November to the Sunday next following, in any year. | From the first Monday in November to the Sunday next following, in any year. | 3 |
| 46. | 68B, 74A | From the first Monday in November to the second Sunday next following, in any year. | From the first Monday in November to the second Sunday next following, in any year. | 3 |
| 47. | 65, 71, 72A, 73, 75 | From the first Monday in November to the second Sunday next following, in any year. | From the first Monday in November to the second Sunday next following, in any year. | 3 |

| Item | Column 1 Area (Nos. refer to WMUs unless otherwise stated) | Column 2 Open Season — Residents | Column 3 Open Season — Non-Residents | Column 4 Class of Firearm |
|------|--|---|---|---------------------------------|
| 53. | 91A, 91B | From the third Monday in November to the Sunday next following, in any year. | Closed season | 5 |
| 54. | 92A, 92B, 92C, 92D | From the first Monday in November to the Sunday next following, in any year. AND: From the third Monday in November to the Sunday next following, in any year. AND: From the Monday next following November 28 to the Sunday next following, in any year. | Closed season | 5 |

| Item | Column 1 Area (Nos. refer to WMUs unless otherwise stated) | Column 2 Open Season — Residents | Column 3 Open Season — Non-Residents | Column 4 Class of Firearm |
|------|--|---|---|---------------------------------|
| 56. | 69A2, 70 | From the Monday next following November 28 to the Sunday next following, in any year. | Closed season | 6 |

| Item | Column 1 Area (Nos. refer to WMUs unless otherwise stated) | Column 2 Open Season — Residents | Column 3 Open Season — Non-Residents | Column 4 Class of Firearm |
|------|--|--|---|---------------------------------|
| 59. | 80, 87B, 87C, 87D, 87E | From the first Monday in November to the Sunday next following, in any year. | Closed season | 6 |
| 60. | 82C | From the Monday following the third Saturday in November to the Sunday following the second Saturday in December. | Closed season | 6 |
| 61. | 85A, 85B, 85C, 89A, 89B, 90A, 90B, 91A, 91B | From the first Monday in November to the Sunday next following, in any year. AND: From the Monday next following November 28 to the Sunday next following, in any year. | Closed season | 6 |
| 62. | 86A, 86B, 93A, 93B | From the Monday next following November 28 to the Sunday next following, in any year. | Closed season | 6 |

| Item | Column 1 | Column 2 | Column 3 | Column 4 |
|------|---|--|--|------------------|
| | Area (Nos. refer to WMUs unless otherwise stated) | Open Season — Residents | Open Season — Non-Residents | Class of Firearm |
| 70. | 36, 37, 38, 39, 41, 42 | From the first Monday in November to the second following Saturday, in any year. | From the first Monday in November to the second following Saturday, in any year. | 7 |

(4) Table 5 of the Regulation is amended by adding the following item:

| Item | Column 1 | Column 2 | Column 3 | Column 4 |
|------|---|--|--|------------------|
| | Area (Nos. refer to WMUs unless otherwise stated) | Open Season — Residents | Open Season — Non-Residents | Class of Firearm |
| 74.1 | 46, 47, 48, 49, 50, 53A, 54, 55A, 55B, 56, 57, 58, 59, 60, 61, 62, 63, 67, 68A, 74B | From the first Monday in November to the second following Sunday, in any year. | From the first Monday in November to the second following Sunday, in any year. | 7 |

(5) Items 75 and 75.1 of Table 5 of the Regulation are revoked and the following substituted:

| Item | Column 1 | Column 2 | Column 3 | Column 4 |
|------|---|--|--|------------------|
| | Area (Nos. refer to WMUs unless otherwise stated) | Open Season — Residents | Open Season — Non-Residents | Class of Firearm |
| 75. | 66A | From the first Monday in November to the Sunday next following, in any year. | From the first Monday in November to the Sunday next following, in any year. | 7 |
| 75.1 | 64A | From the first Monday in November to the Sunday next following, in any year. AND: From the third Monday in November to the Sunday next following, in any year. | From the first Monday in November to the Sunday next following, in any year. AND: From the third Monday in November to the Sunday next following, in any year. | 7 |

2. This Regulation comes into force on September 1, 2006.

Made by:

DAVID JAMES RAMSAY
Minister of Natural Resources

Date made: January 18, 2006.

08/06

ONTARIO REGULATION 26/06

made under the

INSURANCE ACT

Made: February 3, 2006

Filed: February 7, 2006

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Printed in *The Ontario Gazette*: February 25, 2006

Amending O. Reg. 776/93

(Statutory Accident Benefits Schedule — Accidents after December 31, 1993 and before November 1, 1996)

Note: Ontario Regulation 776/93 has previously been amended. Those amendments are listed in the Table of Regulations — Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. The definition of “spouse” in section 1 of Ontario Regulation 776/93 is revoked and the following substituted:

spouse means either of the persons who,

- (a) are married to each other,
- (b) have together entered into a marriage that is voidable or void, in good faith on the part of the person asserting a right under this Regulation, or
- (c) have lived together in a conjugal relationship outside marriage at some point during the previous year and have lived together in a conjugal relationship outside marriage,
 - (i) continuously for a period of at least one year, or
 - (ii) in a relationship of some permanence, if they are the natural or adoptive parents of a child or have demonstrated a settled intention to treat a child as a child of their family; ("conjoint")

2. The Regulation is amended by adding the following section:

APPLICATION OF SECTIONS 21 TO 25

20.1 Sections 21 to 25 apply only if, before March 1, 2006,

- (a) the insurer has refused to pay weekly income replacement benefits under Part II, weekly education disability benefits under section 15, weekly caregiver benefits under Part IV or weekly disability benefits under Part V;
- (b) the insurer has not made an offer with respect to the payment of weekly loss of earning capacity benefits under section 21 and there is no agreement under section 24 or 25; and
- (c) an arbitration proceeding under section 282 of the Act or under the *Arbitration Act, 1991* or a court proceeding has been commenced in accordance with subsection 279 (1) of the Act in respect of the insured person's entitlement to a benefit referred to in clause (a).

3. Subsection 21 (6) of the Regulation is amended by striking out "and the insured person will be required to be assessed under section 27" at the end and substituting "and the insured person will be required to be examined under section 65".

4. (1) Subsection 23 (2) of the Regulation is revoked and the following substituted:

(2) If an insured person rejects the insurer's offer in respect of residual earning capacity, the insurer shall give notice that it requires the insured person to be examined under section 65.

(2.1) Within 14 days after receiving the report of the examination under section 65, the insurer shall give to the insured person a document setting out its determination with respect to the payment of loss of earning capacity benefits and the information specified in clauses 21 (5) (a) to (d).

(2) Subsection 23 (4) of the Regulation is revoked.

(3) Subsection 23 (5) of the Regulation is amended by striking out "the report from the designated assessment centre under subsection 27 (5)" at the end and substituting "the report of the examination conducted under section 65".

(4) Subsections 23 (5.1) and (6) of the Regulation are revoked.

(5) Clause 23 (7) (b) of the Regulation is revoked and the following substituted:

(b) the examination referred to in subsection (2) may be delayed.

(6) Subsection 23 (8) of the Regulation is revoked and the following substituted:

(8) Subject to subsection 65 (5.1) and to subsection 281 (4) of the *Insurance Act*, the insurer shall continue to pay benefits under Part IV or V pending the resolution of a dispute under this section, if the person continues to qualify for those benefits.

5. Section 25 of the Regulation is revoked and the following substituted:

EXAMINATION BEFORE OFFER

25. A person who has not received an offer under section 21 and who is entitled to receive weekly income replacement benefits under Part II, weekly education disability benefits under section 15, weekly caregiver benefits under Part IV or weekly disability benefits under Part V may agree in writing with the insurer that the person shall be examined under section 65.

6. (1) Clause 26 (1) (a) of the Regulation is revoked.

(2) Section 26 of the Regulation is amended by adding the following subsection:

(3) In this Part,

“designated assessment centre” means an assessment centre designated before March 1, 2006 by the Superintendent under clause (1) (a), as it read before March 1, 2006.

7. Section 27 of the Regulation is revoked.

8. The Regulation is amended by adding the following section:

TRANSITIONAL

27.1 (1) Sections 21 to 27, as they read on February 28, 2006, continue to apply in respect of loss of earning capacity benefits if, before March 1, 2006, an insurer has delivered a written offer with respect to the payment of weekly loss of earning capacity benefits to the insured person under subsection 21 (1), as it read on February 28, 2006, or if the insurer and the insured person have agreed in writing under section 25, as it read on February 28, 2006, that the insured person should be assessed under section 27.

(2) Despite subsection (1), if an assessment of an insured person by a designated assessment centre cannot be conducted or completed on or after March 1, 2006 because there is no designated assessment centre that satisfies the requirements of this Part, the insurer may give the insured person a notice in writing requiring the insured person to be examined under section 65 in respect of loss of earning capacity benefits, instead of being assessed by a designated assessment centre, and the provisions of this Regulation, as they read after February 28, 2006, apply in respect of loss of earning capacity benefits after the notice is given.

9. Subsections 33 (3), (4) and (5) of the Regulation are revoked and the following substituted:

(3) The insurer may, for the purposes of the review, give notice that it requires the person to be examined under section 65.

(4) After the review, the insurer shall give the person a notice of determination with respect to the review.

(5) If the insurer required an examination under section 65, the insurer shall give the notice of determination required under subsection (4) within 14 days after receiving the report of the examination.

(6) The notice of determination shall state,

(a) that the insurer shall continue to pay a weekly loss of earning capacity benefit in the same amount as the person's current benefit, if the insurer determines there has been no material change in the ability of the person to earn the amount that is being used for the purpose of determining the person's residual earning capacity; or

(b) that the insurer will pay the person a weekly loss of earning capacity benefit, as determined in accordance with section 28, based on the insurer's determination of the person's current residual earning capacity, as determined in accordance with section 30, if clause (a) does not apply.

(7) A notice of determination described in clause (6) (b) shall include,

(a) the type of employment that the insurer has determined will best satisfy the criteria set out in subsection 30 (2);

(b) the person's residual earning capacity, as determined by the insurer in accordance with section 30;

(c) the reasons for the insurer's determinations described in clauses (a) and (b); and

(d) the amount of weekly loss of earning capacity benefit, if any, payable to the person, as determined by the insurer in accordance with section 28.

(8) Sections 28 to 30 apply, with necessary modifications, for the purposes of adjusting the amount of the weekly loss of earning capacity benefits payable to a person.

(9) An insurer shall not reduce the amount of the weekly loss of earning capacity benefits payable to a person unless,

(a) the insurer required the person to attend an examination under section 65 and has received the report of the examination; or

(b) the insurer is entitled to withhold payment of the benefits under subsection 65 (5.1).

(10) Sections 21 to 27 and subsections (1) to (5), as they read on February 28, 2006, continue to apply in respect of a review by an insurer of the amount of weekly loss of earnings capacity benefits if, before March 1, 2006, the insurer made an offer under subsection (3), as it read before March 1, 2006, in respect of the amount of the benefits.

(11) Despite subsection (10), if an assessment of a person by a designated assessment centre cannot be conducted or completed on or after March 1, 2006 for the purposes of a review under this section because there is no designated assessment centre that satisfies the requirements of this Part, the insurer may give the person a notice in writing requiring the person to be examined under section 65 in respect of the review, instead of being assessed by a designated assessment centre, and the provisions of this Regulation, as they read after February 28, 2006, apply in respect of the review after the notice is given.

10. Subsection 34 (6) of the Regulation is amended by striking out “Subsections 33 (3) to (5)” at the beginning and substituting “Subsections 33 (3) to (11)”.

11. Subsection 39 (1) of the Regulation is amended by striking out "subsection (5), clause 39 (1), (a) and subsection 39 (12)" and substituting "subsections (5) and 39 (6)".

12. (1) Clause 38 (1) (a) of the Regulation is revoked.

(2) Section 38 of the Regulation is amended by adding the following subsection:

(3) In this Part,

"designated assessment centre" means an assessment centre designated before March 1, 2006 by the Superintendent under clause (1) (a), as it read before March 1, 2006.

13. (1) The heading before section 39 and subsection 39 (1) of the Regulation are revoked and the following substituted:

EXAMINATION

(1) If the insurer receives a certificate under section 37 in respect of an expense, the insurer may give the insured person a notice requiring the person to be examined under section 65.

(2) Subsections 39 (5), (6), (6.1), (7), (8), (9), (10), (11) and (12) of the Regulation are revoked and the following substituted:

(5) If the insurer requires the insured person to be examined under section 65, the insurer shall provide the insured person with 14 days notice of the examination and 14 days notice of the examination shall be considered to be reasonable notice of the examination for the purposes of subsection 65 (2).

(6) Subject to the determination of a dispute relating to the expense in accordance with sections 279 to 283 of the Act, the insurer is not required to pay an expense if the insurer has received the report of the examination under section 65 and gives notice under subsection 39.1 (6) that it refuses to pay the expense.

14. (1) Subsection 39.1 (4) of the Regulation is amended by striking out "that an assessment be conducted under section 39" in the portion before clause (a) and substituting "that an examination be conducted under section 65".

(2) Clause 39.1 (4) (b) of the Regulation is revoked and the following substituted:

(b) the insurer shall,

(i) mail or deliver the payment of the expense to the person entitled within 14 days after the insurer receives the report of the examination under section 65, or

(ii) give the person a notice in accordance with subsection (6) if the insurer refuses to pay the expense; and

(3) Subsection 39.1 (6) of the Regulation is revoked and the following substituted:

(6) If the insurer refuses to pay a benefit under this Part, it shall give the insured person notice of the reasons for the refusal within 14 days after the insurer receives the report of the examination under section 65.

15. The Regulation is amended by adding the following section:

TRANSITIONAL

39.2 (1) Subsection 36 (4) and sections 39 and 39.1, as they read on February 28, 2006, continue to apply in respect of a claim for payment of an expense under section 36 if, before March 1, 2006, an insurer has given a notice to the insured person under section 39, as it read on February 28, 2006, requiring the insured person to be assessed.

(2) Despite subsection (1), if an assessment of an insured person by a designated assessment centre cannot be conducted or completed on or after March 1, 2006 because there is no designated assessment centre that satisfies the requirements of this Part, the insurer may give the insured person a notice in writing requiring the insured person to be examined under section 65 in respect of the claim, instead of being assessed by a designated assessment centre, and the provisions of this Regulation, as they read after February 28, 2006, apply in respect of the disposition of the claim after the notice is given.

16. Subsection 40 (7) of the Regulation is amended by striking out "subsection (8), clause 45 (11) (b) and subsection 45 (12)" and substituting "subsections (8) and 45 (4)".

17. Section 44 of the Regulation is amended by striking out the portion before clause (a) and substituting the following:

44. The assessment centres designated before March 1, 2006 for the purpose of Part VII shall be deemed to have been designated for the purpose of this Part and,

18. (1) The heading before section 45 and subsection 45 (1) of the Regulation are revoked and the following substituted:

EXAMINATION

(1) If the insurer receives a certificate under section 43 in respect of an expense, the insurer may give the insured person a notice requiring the insured person to be examined under section 65.

(2) Subsections 45 (3), (4), (5), (6), (6.1), (7), (8), (9), (10), (11) and (12) of the Regulation are revoked and the following substituted:

(3) If the insurer requires the insured person to be examined under section 65, the insurer shall provide the insured person with 14 days notice of the examination and 14 days notice of the examination shall be considered to be reasonable notice of the examination for the purposes of subsection 65 (2).

(4) Subject to the determination of a dispute relating to the expense in accordance with sections 279 to 283 of the Act, the insurer is not required to pay an expense if the insurer has received the report of the examination under section 65 and gives notice under subsection 45.1 (6) that it refuses to pay the expense.

19. (1) Subsection 45.1 (4) of the Regulation is amended by striking out the portion before clause (a) and substituting the following:

(4) If, before payment becomes overdue under clause (3) (b) in respect of an expense under section 40, the insurer requires an examination under section 65,

(2) Clause 45.1 (4) (b) of the Regulation is revoked and the following substituted:

(b) the insurer shall,

(i) mail or deliver the payment of the expense to the person entitled within 14 days after the insurer receives the report of the examination under section 65, or

(ii) give the person a notice in accordance with subsection (6) if the insurer refuses to pay the expense; and

(3) Subsection 45.1 (6) of the Regulation is revoked and the following substituted:

(6) If the insurer refuses to pay a benefit under this Part, it shall give the insured person notice of the reasons for the refusal within 14 days after the insurer receives the report of the examination under section 65.

20. The Regulation is amended by adding the following section:

TRANSITIONAL

45.2 (1) Subsection 40 (7) and sections 45 and 45.1, as they read on February 28, 2006, continue to apply in respect of a claim for payment of an expense under section 40 if, before March 1, 2006, an insurer has given a notice to the insured person under subsection 45 (1), as it read on February 28, 2006, requiring the insured person to be assessed.

(2) Despite subsection (1), if an assessment of an insured person by a designated assessment centre cannot be conducted or completed on or after March 1, 2006 because there is no designated assessment centre that satisfies the requirements of this Part, the insurer may give the insured person a notice in writing requiring the insured person to be examined under section 65 in respect of the claim, instead of being assessed by a designated assessment centre, and the provisions of this Regulation, as they read after February 28, 2006, apply in respect of the disposition of the claim after the notice is given.

21. Subsection 47 (9) of the Regulation is amended by striking out "subsection 50 (10)" at the end and substituting "subsection 50 (6)".

22. (1) Clause 49 (1) (a) of the Regulation is revoked.

(2) Section 49 of the Regulation is amended by adding the following subsection:

(3) In this Part,

"designated assessment centre" means an assessment centre designated before March 1, 2006 by the Superintendent under clause (1) (a), as it read before March 1, 2006.

23. The heading before section 50 and section 50 of the Regulation are revoked and the following substituted:

EXAMINATION

50. (1) The insured person may, by written notice to the insurer, elect to be examined under section 65.

(7) If an insured person is a claimant under section 47 in respect of an expense, the insurer may give the insured person notice requiring the insured person to be examined under section 65.

(3) Despite subsections (1) and (2), an insured person shall not be examined under section 65 within 12 months after the last assessment under this section, as it read before March 1, 2006, or the last examination under section 65 relating to services referred to in section 47.

(4) If the insured person elects to be examined or the insurer requires the insured person to be examined, the insurer shall provide to the insured person 14 days notice of the examination and 14 days notice of the examination shall be considered to be reasonable notice of the examination for the purposes of subsection 65 (2).

(5) Within 14 days of receipt of the report of examination, the insurer shall give the insured person notice of the amount to be paid by the insurer to the insured person for the future provision of services referred to in section 47.

(6) The determination under subsection (5) shall be made in accordance with Form 1 and shall be based on the following hourly rates for services:

1. For care described in Part I of Form 1, \$11.08 per hour.
2. For care described in Part II of Form 1, the minimum hourly wage for the period to which the payment relates, as prescribed under the *Employment Standards Act, 2000*.
3. For care described in Part III of Form 1, \$17.72 per hour.

24. Subsection 50.1 (5) of the Regulation is revoked and the following substituted:

(5) If the insurer refuses to pay a benefit under this Part, it shall give the insured person notice of the reasons for the refusal within 14 days after the insurer receives the report of the examination under section 65.

25. The Regulation is amended by adding the following section:

TRANSITIONAL

50.2 (1) Sections 50 and 50.1, as they read on February 28, 2006, continue to apply in respect of a claim for payment of an expense under section 47 if, before March 1, 2006, an insured person has given a notice to the insurer under subsection 50 (1), as it read on February 28, 2006, or the insurer has given a notice to the insured person under subsection 50 (2), as it read on February 28, 2006, for the insured person to be assessed.

(2) Despite subsection (1), if an assessment of an insured person by a designated assessment centre cannot be conducted or completed on or after March 1, 2006 because there is no designated assessment centre that satisfies the requirements of this Part, the insurer may give the insured person a notice in writing requiring the insured person to be examined under section 65 in respect of the claim, instead of being assessed by a designated assessment centre, and the provisions of this Regulation, as they read after February 28, 2006, apply in respect of the disposition of the claim after the notice is given.

26. Section 63 of the Regulation is revoked.

27. Section 64 of the Regulation is revoked.

28. Section 65 of the Regulation is amended by adding the following subsection:

(3.1) If the examination relates to a claim for attendant care benefits, the report of the examination shall include a completed Form 1.

29. (1) Clause 71.1 (b) of the Regulation is amended by striking out "45, 50 or 64" and substituting "45 or 50".

(2) Clause 71.1 (c) of the Regulation is revoked.

30. Subsection 73 (6) of the Regulation is revoked.

31. Paragraphs 4, 5 and 13 of section 94 of the Regulation are revoked.

32. This Regulation comes into force on March 1, 2006.

RÈGLEMENT DE L'ONTARIO 26/06

pris en application de la

LOI SUR LES ASSURANCES

pris le 3 février 2006

déposé le 7 février 2006

publié sur le site Lois-en-ligne le 8 février 2006

imprimé dans la *Gazette de l'Ontario* le 25 février 2006

modifiant le Règl. de l'Ont. 776/93

(Annexe sur les indemnités d'accident légales — accidents survenus après le 31 décembre 1993 mais avant le 1^{er} novembre 1996)

Remarque : Le Règlement de l'Ontario 776/93 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des règlements qui se trouve sur le site www.lois-en-ligne.gouv.on.ca.

1. La définition de «conjoint» à l'article 1 du Règlement de l'Ontario 776/93 est abrogée et remplacée par ce qui suit :

«conjoint» L'une ou l'autre de deux personnes qui, selon le cas :

- a) sont mariées ensemble;
- b) ont contracté, de bonne foi selon la personne qui fait valoir un droit en vertu du présent règlement, un mariage nul de nullité relative ou absolue;
- c) ont vécu ensemble dans une union conjugale hors du mariage à un moment donné au cours de l'année précédente et ont vécu ensemble dans une union conjugale hors du mariage :
 - (i) soit de façon continue pendant au moins un an,
 - (ii) soit dans une relation d'une certaine permanence, si elles sont les parents naturels ou adoptifs d'un enfant ou ont manifesté l'intention bien arrêtée de traiter un enfant comme un enfant de leur famille. («spouse»)

2. Le Règlement est modifié par adjonction de l'article suivant :

APPLICATION DES ARTICLES 21 À 25

20.1 Les articles 21 à 25 ne s'appliquent que si les conditions suivantes sont réunies avant le 1^{er} mars 2006 :

- a) l'assureur a refusé de verser des indemnités hebdomadaires de remplacement de revenu prévues à la partie II, des indemnités hebdomadaires pour incapacité à poursuivre ses études prévues à l'article 15, des indemnités hebdomadaires de soignant prévues à la partie IV ou des indemnités hebdomadaires d'invalidité prévues à la partie V;
- b) l'assureur n'a pas fait d'offre prévue à l'article 21 portant sur le versement d'indemnités hebdomadaires pour perte de capacité de gain et aucune entente n'a été conclue en vertu de l'article 24 ou 25;
- c) une procédure d'arbitrage visée à l'article 282 de la Loi ou par la *Loi de 1991 sur l'arbitrage* ou une instance judiciaire a été introduite conformément au paragraphe 279 (1) de la Loi à l'égard du droit de la personne assurée à une indemnité visée à l'alinéa a).

3. Le paragraphe 21 (6) du Règlement est modifié par substitution «et devra se soumettre à l'examen prévu à l'article 65» à «et devra se soumettre à l'évaluation prévue à l'article 27» à la fin du paragraphe.

4. (1) Le paragraphe 23 (2) du Règlement est abrogé et remplacé par ce qui suit :

(2) L'assureur donne à la personne assurée qui rejette son offre à l'égard de sa capacité de gain résiduelle un avis portant qu'il exige qu'elle se fasse examiner aux termes de l'article 65.

(2.1) Au plus tard 14 jours après avoir reçu le rapport d'examen prévu à l'article 65, l'assureur remet à la personne assurée un document énonçant sa décision à l'égard du versement des indemnités pour perte de capacité de gain et les renseignements précisés aux alinéas 21 (5) a) à d).

(2) Le paragraphe 23 (4) du Règlement est abrogé.

(3) Le paragraphe 23 (5) du Règlement est modifié par substitution de «le rapport de l'examen effectué aux termes de l'article 65» à «le rapport du centre d'évaluation désigné prévu au paragraphe 27 (5)» à la fin du paragraphe.

(4) Les paragraphes 23 (5.1) et (6) du Règlement sont abrogés.

(5) L'alinéa 26 (1) b) du Règlement est abrogé et remplacé par ce qui suit :

b) l'examen visé au paragraphe (2) peut être reporté.

(6) Le paragraphe 23 (8) du Règlement est abrogé et remplacé par ce qui suit :

(8) Sous réserve du paragraphe 65 (5.1) et sous réserve du paragraphe 281 (4) de la *Loi sur les assurances*, l'assureur continue de verser les indemnités prévues à la partie IV ou V en attendant que le différend soit réglé en vertu du présent article, si la personne y est toujours admissible.

5. L'article 25 du Règlement est abrogé et remplacé par ce qui suit :

EXAMEN AVANT L'OFFRE

25. La personne qui n'a pas reçu l'offre prévue à l'article 21 et qui a le droit de recevoir des indemnités hebdomadaires de remplacement de revenu aux termes de la partie II, des indemnités hebdomadaires pour incapacité à poursuivre ses études aux termes de l'article 15, des indemnités hebdomadaires de soignant aux termes de la partie IV ou des indemnités hebdomadaires d'invalidité aux termes de la partie V peut conclure une entente écrite avec l'assureur selon laquelle elle se soumet à l'examen prévu à l'article 65.

6. (1) L'alinéa 26 (1) a) du Règlement est abrogé.

(2) L'article 26 du Règlement est modifié par adjonction du paragraphe suivant :

(3) La définition qui suit s'applique à la présente partie.

«centre d'évaluation désigné» Centre d'évaluation désigné par le surintendant avant le 1^{er} mars 2006 en vertu de l'alinéa (1) a), tel qu'il existait avant cette date.

7. L'article 27 du Règlement est abrogé.

8. Le Règlement est modifié par adjonction de l'article suivant :

DISPOSITIONS TRANSITOIRES

27.1 (1) Les articles 21 à 27, tels qu'ils existaient le 28 février 2006, continuent de s'appliquer à l'égard des indemnités pour perte de capacité de gain si, avant le 1^{er} mars 2006, un assureur a remis une offre écrite portant sur le versement d'indemnités hebdomadaires pour perte de capacité de gain à la personne assurée aux termes du paragraphe 21 (1), tel qu'il existait le 28 février 2006, ou si l'assureur et la personne assurée ont conclu en vertu de l'article 25, tel qu'il existait le 28 février 2006, une entente écrite selon laquelle la personne assurée devrait se soumettre à l'évaluation prévue à l'article 27.

(2) Malgré le paragraphe (1), s'il est impossible de procéder à l'évaluation de la personne assurée dans un centre d'évaluation désigné ou de la terminer le 1^{er} mars 2006 ou après cette date parce qu'aucun de ces centres ne satisfait aux exigences de la présente partie, l'assureur peut lui donner un avis écrit exigeant qu'elle se fasse examiner aux termes de l'article 65 à l'égard des indemnités pour perte de capacité de gain, et non pas évaluer par un centre d'évaluation désigné, et les dispositions du présent règlement, telles qu'elles existent après le 28 février 2006, s'appliquent à l'égard de ces indemnités après la remise de l'avis.

9. Les paragraphes 33 (3), (4) et (5) du Règlement sont abrogés et remplacés par ce qui suit :

(3) L'assureur peut, aux fins de la révision, donner un avis portant qu'il exige que la personne se fasse examiner aux termes de l'article 65.

(4) Après la révision, l'assureur avise la personne de sa décision concernant la révision.

(5) L'assureur qui a exigé un examen visé à l'article 65 donne l'avis de sa décision exigé au paragraphe (4) dans les 14 jours qui suivent la réception du rapport d'examen.

(6) L'avis de la décision indique :

- a) soit que l'assureur continuera de verser une indemnité hebdomadaire pour perte de capacité de gain selon le même montant que l'indemnité courante de la personne, s'il détermine qu'il n'y a pas eu de changement important dans la capacité de la personne de gagner le montant qui est utilisé pour déterminer sa capacité de gain résiduelle;
- b) soit, si l'alinéa a) ne s'applique pas, que l'assureur versera à la personne une indemnité hebdomadaire pour perte de capacité de gain déterminée conformément à l'article 28 et fondée sur la détermination de la capacité de gain résiduelle courante de la personne qu'il a faite conformément à l'article 30.

(7) L'avis de la décision visé à l'alinéa (6) b) énonce également ce qui suit :

- a) le type d'emploi qui, suivant ce que détermine l'assureur, répondra le mieux aux critères énoncés au paragraphe 30 (2);
- b) la capacité de gain résiduelle de la personne, telle que l'assureur la détermine conformément à l'article 30;
- c) les motifs sur lesquels s'appuient les décisions de l'assureur visées aux alinéas a) et b);

d) le montant de l'indemnité hebdomadaire pour perte de capacité de gain qui est payable, le cas échéant, à la personne, tel que l'assureur le détermine conformément à l'article 28.

(8) Les articles 28 à 30 s'appliquent, avec les adaptations nécessaires, lorsqu'il s'agit de rajuster le montant des indemnités hebdomadaires pour perte de capacité de gain qui est payable à une personne.

(9) L'assureur ne doit pas réduire le montant des indemnités hebdomadaires pour perte de capacité de gain qui est payable à une personne, sauf si, selon le cas :

- a) il a exigé que la personne se présente à un examen visé à l'article 65 et a reçu le rapport d'examen;
- b) il a le droit de retenir le versement des indemnités en vertu du paragraphe 65 (5.1).

(10) Les articles 21 à 27 et les paragraphes (1) à (5), tels qu'ils existaient le 28 février 2006, continuent de s'appliquer à l'égard de la révision du montant des indemnités hebdomadaires pour perte de capacité de gain que fait l'assureur si, avant le 1^{er} mars 2006, il a fait une offre aux termes du paragraphe (3), tel qu'il existait avant le 1^{er} mars 2006, à l'égard de ce montant.

(11) Malgré le paragraphe (10), s'il est impossible de procéder à l'évaluation d'une personne dans un centre d'évaluation désigné ou de la terminer le 1^{er} mars 2006 ou après cette date aux fins de la révision prévue au présent article parce qu'aucun de ces centres ne satisfait aux exigences de la présente partie, l'assureur peut lui donner un avis écrit exigeant qu'elle se fasse examiner aux termes de l'article 65 à l'égard de la révision, et non pas évaluer par un centre d'évaluation désigné, et les dispositions du présent règlement, telles qu'elles existent après le 28 février 2006, s'appliquent à l'égard de la révision après la remise de l'avis.

10. Le paragraphe 34 (6) du Règlement est modifié par substitution de «Les paragraphes 33 (3) à (11)» à «Les paragraphes 33 (3) à (5)» au début du paragraphe.

11. Le paragraphe 36 (4) du Règlement est modifié par substitution de «des paragraphes (5) et 39 (6)» à «du paragraphe (5), de l'alinéa 39 (11) b) et du paragraphe 39 (12)».

12. (1) L'alinéa 38 (1) a) du Règlement est abrogé.

(2) L'article 38 du Règlement est modifié par adjonction du paragraphe suivant :

(3) La définition qui suit s'applique à la présente partie.

«centre d'évaluation désigné» Centre d'évaluation désigné par le surintendant avant le 1^{er} mars 2006 en vertu de l'alinéa (1) a), tel qu'il existait avant cette date.

13. (1) L'intertitre qui précède l'article 39 et le paragraphe 39 (1) du Règlement sont abrogés et remplacés par ce qui suit :

EXAMEN

(1) L'assureur qui reçoit le certificat visé à l'article 37 relativement à des frais peut donner à la personne assurée un avis exigeant qu'elle se fasse examiner aux termes de l'article 65.

(2) Les paragraphes 39 (5), (6), (6.1), (7), (8), (9), (10), (11) et (12) du Règlement sont abrogés et remplacés par ce qui suit :

(5) S'il exige que la personne assurée se fasse examiner aux termes de l'article 65, l'assureur lui donne un préavis de 14 jours, lequel est considéré comme étant un avis raisonnable de l'examen pour l'application du paragraphe 65 (2).

(6) Sous réserve du règlement d'un différend portant sur les frais conformément aux articles 279 à 283 de la Loi, l'assureur n'est pas tenu de payer des frais s'il a reçu le rapport d'examen prévu à l'article 65 et qu'il donne, en application du paragraphe 39.1 (6), un avis portant qu'il refuse de les payer.

14. (1) Le paragraphe 39.1 (4) du Règlement est modifié par substitution de «qu'un examen soit effectué aux termes de l'article 65» à «qu'une évaluation soit faite en vertu de l'article 39» dans le passage qui précède l'alinéa a).

(2) L'alinéa 39.1 (4) b) du Règlement est abrogé et remplacé par ce qui suit :

b) l'assureur :

- (i) soit envoie par la poste ou remet à la personne qui y a droit le montant des frais dans les 14 jours qui suivent la réception par l'assureur du rapport d'examen prévu à l'article 65,
- (ii) soit donne un avis à la personne conformément au paragraphe (6) s'il refuse de payer les frais;

(3) Le paragraphe 39.1 (6) du Règlement est abrogé et remplacé par ce qui suit :

(6) L'assureur qui refuse de verser une indemnité visée à la présente partie donne à la personne assurée un avis précisant les motifs du refus dans les 14 jours qui suivent la réception par l'assureur du rapport d'examen prévu à l'article 65.

15. Le Règlement est modifié par adjonction de l'article suivant :

DISPOSITIONS TRANSITOIRES

39.2 (1) Le paragraphe 36 (4) et les articles 39 et 39.1, tels qu'ils existaient le 28 février 2006, continuent de s'appliquer à l'égard d'une demande de paiement de frais visés à l'article 36 si, avant le 1^{er} mars 2006, l'assureur a donné à la personne assurée un avis visé à l'article 39, tel qu'il existait le 28 février 2006, exigeant qu'elle se soumette à une évaluation.

(2) Malgré le paragraphe (1), s'il est impossible de procéder à l'évaluation de la personne assurée dans un centre d'évaluation désigné ou de la terminer le 1^{er} mars 2006 ou après cette date parce qu'aucun de ces centres ne satisfait aux exigences de la présente partie, l'assureur peut lui donner un avis écrit exigeant qu'elle se fasse examiner aux termes de l'article 65 à l'égard de la demande, et non pas évaluer par un centre d'évaluation désigné, et les dispositions du présent règlement, telles qu'elles existent après le 28 février 2006, s'appliquent à l'égard du règlement de la demande après la remise de l'avis.

16. Le paragraphe 40 (7) du Règlement est modifié par substitution de «des paragraphes (8) et 45 (4)» à «du paragraphe (8), de l'alinéa 45 (11) b) et du paragraphe 45 (12)».

17. L'article 44 du Règlement est modifié par substitution de ce qui suit au passage qui précède l'alinéa a) :

44. Les centres d'évaluation désignés avant le 1^{er} mars 2006 pour l'application de la partie VII sont réputés avoir été désignés pour l'application de la présente partie et, pour l'application de celle-ci :

18. (1) L'intertitre qui précède l'article 45 et le paragraphe 45 (1) du Règlement sont abrogés et remplacés par ce qui suit :

EXAMEN

(1) L'assureur qui reçoit un certificat visé à l'article 43 relativement à des frais peut donner à la personne assurée un avis exigeant qu'elle se fasse examiner aux termes de l'article 65.

(2) Les paragraphes 45 (3), (4), (5), (6), (6.1), (7), (8), (9), (10), (11) et (12) du Règlement sont abrogés et remplacés par ce qui suit :

(3) S'il exige que la personne assurée se fasse examiner aux termes de l'article 65, l'assureur lui donne un préavis de 14 jours, lequel est considéré comme étant un avis raisonnable de l'examen pour l'application du paragraphe 65 (2).

(4) Sous réserve du règlement d'un différend portant sur les frais conformément aux articles 279 à 283 de la Loi, l'assureur n'est pas tenu de payer des frais s'il a reçu le rapport d'examen prévu à l'article 65 et qu'il donne, en application du paragraphe 45.1 (6), un avis portant qu'il refuse de les payer.

19. (1) Le paragraphe 45.1 (4) du Règlement est modifié par substitution de ce qui suit au passage qui précède l'alinéa a) :

(4) Si l'assureur exige, avant que le versement ne devienne en souffrance aux termes de l'alinéa (3) b) à l'égard de frais visés à l'article 40, qu'un examen soit effectué aux termes de l'article 65 :

(2) L'alinéa 45.1 (4) b) du Règlement est abrogé et remplacé par ce qui suit :

b) l'assureur :

(i) soit envoie par la poste ou remet à la personne qui y a droit le montant des frais dans les 14 jours qui suivent la réception par l'assureur du rapport d'examen prévu à l'article 65,

(ii) soit donne un avis à la personne conformément au paragraphe (6) s'il refuse de payer les frais;

(3) Le paragraphe 45.1 (6) du Règlement est abrogé et remplacé par ce qui suit :

(6) L'assureur qui refuse de verser une indemnité visée à la présente partie donne à la personne assurée un avis précisant les motifs du refus dans les 14 jours qui suivent la réception par l'assureur du rapport d'examen prévu à l'article 65.

20. Le Règlement est modifié par adjonction de l'article suivant :

DISPOSITIONS TRANSITOIRES

45.2 (1) Le paragraphe 40 (7) et les articles 45 et 45.1, tels qu'ils existaient le 28 février 2006, continuent de s'appliquer à l'égard d'une demande de paiement de frais visés à l'article 40 si, avant le 1^{er} mars 2006, l'assureur a donné à la personne assurée un avis visé au paragraphe 45 (1), tel qu'il existait le 28 février 2006, exigeant qu'elle se soumette à une évaluation.

(2) Malgré le paragraphe (1), s'il est impossible de procéder à l'évaluation de la personne assurée dans un centre d'évaluation désigné ou de la terminer le 1^{er} mars 2006 ou après cette date parce qu'aucun de ces centres ne satisfait aux exigences de la présente partie, l'assureur peut lui donner un avis écrit exigeant qu'elle se fasse examiner aux termes de l'article 65 à l'égard de la demande, et non pas évaluer par un centre d'évaluation désigné, et les dispositions du présent règlement, telles qu'elles existent après le 28 février 2006, s'appliquent à l'égard du règlement de la demande après la remise de l'avis.

21. Le paragraphe 47 (9) du Règlement est modifié par substitution de «paragraphe 50 (6)» à «paragraphe 50 (10)» à la fin du paragraphe.

22. (1) L'alinéa 49 (1) a) du Règlement est abrogé.

(2) L'article 49 du Règlement est modifié par adjonction du paragraphe suivant :

(3) La définition qui suit s'applique à la présente partie.

«centre d'évaluation désigné» Centre d'évaluation désigné par le surintendant avant le 1^{er} mars 2006 en vertu de l'alinéa (1) a), tel qu'il existait avant cette date.

23. L'intertitre qui précède l'article 50 et l'article 50 du Règlement sont abrogés et remplacés par ce qui suit :

EXAMEN

50. (1) La personne assurée peut, au moyen d'un avis écrit adressé à l'assureur, choisir de se faire examiner aux termes de l'article 65.

(2) L'assureur qui reçoit un certificat visé à l'article 48 à l'égard de frais peut donner à la personne assurée un avis exigeant qu'elle se fasse examiner aux termes de l'article 65.

(3) Malgré les paragraphes (1) et (2), la personne assurée ne doit pas être examinée aux termes de l'article 65 dans les 12 mois qui suivent la dernière évaluation faite aux termes du présent article, tel qu'il existait avant le 1^{er} mars 2006, ou le dernier examen effectué aux termes de l'article 65 en ce qui concerne les soins visés à l'article 47.

(4) Si la personne assurée choisit de se faire examiner ou s'il exige qu'elle se fasse examiner, l'assureur lui donne une préavis de 14 jours, lequel est considéré comme étant un avis raisonnable de l'examen pour l'application du paragraphe 65 (2).

(5) Dans les 14 jours qui suivent la réception du rapport d'examen, l'assureur donne à la personne assurée un avis du montant qu'il doit lui verser pour la fourniture ultérieure de soins visés à l'article 47.

(6) Le calcul visé au paragraphe (5) est fait selon la formule 1 et est fondé sur les taux horaires de soins suivants :

1. 11,08 \$ l'heure, dans le cas de soins visés à la partie I de la formule 1.

2. Le salaire horaire minimum pour la période visée par le versement, qui est prescrit en vertu de la *Loi de 2000 sur les normes d'emploi*, dans le cas de soins visés à la partie II de la formule 1.

3. 17,72 \$ l'heure, dans le cas de soins visés à la partie III de la formule 1.

24. Le paragraphe 50.1 (5) du Règlement est abrogé et remplacé par ce qui suit :

(5) L'assureur qui refuse de verser une indemnité visée à la présente partie donne à la personne assurée un avis précisant les motifs du refus dans les 14 jours qui suivent la réception par l'assureur du rapport d'examen prévu à l'article 65.

25. Le Règlement est modifié par adjonction de l'article suivant :

DISPOSITIONS TRANSITOIRES

50.2 (1) Les articles 50 et 50.1, tels qu'ils existaient le 28 février 2006, continuent de s'appliquer à l'égard d'une demande de paiement de frais visés à l'article 47 si, avant le 1^{er} mars 2006, la personne assurée a donné à l'assureur un avis visé au paragraphe 50 (1), tel qu'il existait le 28 février 2006, ou que l'assureur a donné à la personne assurée un avis visé au paragraphe 50 (2), tel qu'il existait le 28 février 2006, exigeant qu'elle se soumette à une évaluation.

(2) Malgré le paragraphe (1), s'il est impossible de procéder à l'évaluation de la personne assurée dans un centre d'évaluation désigné ou de la terminer le 1^{er} mars 2006 ou après cette date parce qu'aucun de ces centres ne satisfait aux exigences de la présente partie, l'assureur peut lui donner un avis écrit exigeant qu'elle se fasse examiner aux termes de l'article 65 à l'égard de la demande, et non pas évaluer par un centre d'évaluation désigné, et les dispositions du présent règlement, telles qu'elles existent après le 28 février 2006, s'appliquent à l'égard du règlement de la demande après la remise de l'avis.

26. L'article 63 du Règlement est abrogé.

27. L'article 64 du Règlement est abrogé.

28. L'article 66 du Règlement est modifié par adjonction du paragraphe suivant :

(3.1) Le rapport de l'examen qui se rapporte à une demande d'indemnités de soins auxiliaires comprend la formule 1 dûment remplie.

29. (1) L'alinéa 71.1 b) du Règlement est modifié par substitution de «45 ou 50» à «45, 50 ou 64».

(2) L'alinéa 71.1 c) du Règlement est abrogé.

30. Le paragraphe 73 (6) du Règlement est abrogé.

31. Les dispositions 4, 5 et 13 de l'article 94 du Règlement sont abrogées.

32. Le présent règlement entre en vigueur le 1^{er} mars 2006.

08/06

ONTARIO REGULATION 27/06

made under the

ST. CLAIR PARKS COMMISSION ACT, 2000

Made: November 15, 2005

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Amending Reg. 1022 of R.R.O. 1990
(General)

Note: Regulation 1022 has previously been amended. Those amendments are listed in the [Table of Regulations - Legislative History Overview](#) which can be found at www.e-Laws.gov.on.ca.

1. Regulation 1022 of the Revised Regulations of Ontario, 1990 is amended by adding the following French version:

DISPOSITIONS GÉNÉRALES

DÉFINITIONS

1. Les définitions qui suivent s'appliquent au présent règlement.

«agent» Personne nommée par la Commission pour assurer l'exécution du présent règlement. («officer»)

«Commission» La Commission de la promenade Sainte-Claire. («Commission»)

«directeur général» Le fonctionnaire nommé par règlement administratif de la Commission au poste de secrétaire-trésorier et de directeur général. («General Manager»)

«emplacement de camping» Parcelle de terrain exploitée par la Commission à des fins de camping, dont les limites peuvent être identifiées au moyen de poteaux indicateurs, de jalons ou autrement. («camp-site»)

«motoneige» Motoneige au sens de la *Loi sur les motoneiges*. («motorized snow vehicle»)

«parcs» Secteur constitué d'une seule parcelle ou, lorsque deux parcelles ou plus sont contiguës, les parcelles de terrain contiguës qui appartiennent à la Commission ou qu'elle exploite. («parks»)

«toilettes» Bâtiment pourvu de cabinets avec chasse d'eau, d'un système d'éclairage électrique et d'eau courante. («comfort station»)

«véhicule» Véhicule au sens du *Code de la route*. («vehicle»)

COMPORTEMENT DES PERSONNES QUI UTILISENT LES PARCS

2. Nul ne doit, dans les parcs :

a) enlever ou endommager une plante, un arbrisseau ou un arbre;

- b) abîmer, enlever ou endommager les biens de la Commission;
- c) aller dans un secteur qui n'est pas entretenu à cette fin, comme l'indiquent des affiches.

3. (1) Nul ne doit, dans les parcs :

- a) prononcer des paroles offensantes, insultantes, obscènes ou menaçantes, faire trop de bruit ou se comporter de façon à nuire inutilement à l'utilisation et à la jouissance des parcs par autrui;
- b) lancer des pierres ou d'autres projectiles;
- c) commettre des voies de fait ou accomplir des actes qui présentent ou peut vraisemblablement présenter un danger pour d'autres personnes;
- d) mendier ou solliciter des souscriptions ou des contributions;
- e) vendre ou mettre en vente un article, un objet ou un service sans avoir obtenu l'autorisation écrite de la Commission.

(2) L'agent qui croit, en se fondant sur des motifs raisonnables et probables, qu'une personne a contrevenu au paragraphe (1) peut l'expulser des parcs et la Commission peut annuler les permis de celle-ci qui se rapportent aux parcs où a eu lieu la contravention.

(3) Le titulaire d'un permis annulé en vertu du paragraphe (2) n'a pas droit au remboursement des droits, des péages ou des frais d'entrée.

(4) Quiconque a été expulsé des parcs en vertu du paragraphe (2) ne doit pas entrer ni tenter d'entrer dans les parcs d'où il a été expulsé dans les 72 heures suivantes sans la permission de la Commission.

4. Nul ne doit tenir une réunion publique ni accomplir des actes qui portent ou qui peut vraisemblablement porter des personnes à s'assembler dans les parcs sans un permis à cette fin délivré par le directeur général.

5. Nul ne doit, dans les parcs :

- a) avoir en sa possession, allumer, faire partir ou décharger une arme à feu, une fusée ou des pièces de feux d'artifice de quelque type ou sorte que ce soit;
- b) tuer, piéger, chasser ou poursuivre de quelque manière des oiseaux, des animaux ou des reptiles sauvages, ou les déranger ou faire en sorte qu'ils soient dérangés;
- c) ramasser, recueillir ou rassembler dans les parcs des vers à des fins commerciales sauf si les conditions suivantes sont réunies :
 - (i) il s'agit d'un secteur désigné à cette fin par la Commission,
 - (ii) un permis a été délivré par le directeur général.

6. Nul ne doit jeter des détritres ni abandonner des objets dans les parcs, sauf dans les récipients fournis par la Commission à cette fin.

7. Nul ne doit laisser des détritres dans les parcs.

8. Nul ne doit dresser, afficher, coller, attacher, peindre ou fixer des placards, des écriteaux, des avis ou des affiches dans les parcs sans avoir obtenu au préalable un permis à cette fin du directeur général.

9. (1) Nul ne doit allumer ou entretenir un feu dans les parcs, sauf, selon le cas :

- a) dans les foyers fournis par la Commission à cette fin;
- b) à l'endroit désigné par un agent.

(2) Les personnes qui allument un feu dans les parcs ne doivent pas le laisser brûler sans surveillance.

(3) Dans les parcs, nul ne doit fumer dans une construction, notamment un bâtiment, où la Commission a fait installer une affiche l'interdisant.

10. (1) Nul ne doit amener un animal dans les parcs, sauf s'il est attaché à une laisse d'une longueur maximale de deux mètres.

(2) Nul ne doit faire de l'équitation dans les parcs, sauf sur les voies publiques ou aux jours, heures et lieux que la Commission fixe à cette fin.

(3) Dans les parcs, nul ne doit permettre à un animal d'aller dans les eaux réservées au pataugeage, à la baignade ou à la natation.

11. (1) Nul ne doit conduire un véhicule dans les parcs, sauf sur une chaussée ou à tout autre endroit désigné à cette fin.

(2) Nul ne doit conduire un véhicule automobile dans les parcs à une vitesse supérieure à 25 kilomètres à l'heure.

circulation.

(4) Nul ne doit conduire un véhicule utilitaire au sens de la *Loi sur le camionnage* dans les parcs, sauf pour y faire des livraisons.

(5) Nul ne doit stationner un véhicule dans les parcs, sauf dans un lieu désigné à cette fin par un agent.

12. (1) Nul ne doit conduire une motoneige dans les parcs, sauf si les conditions suivantes sont réunies :

- a) un permis a été délivré à cette fin par le directeur général;
- b) il s'agit d'un secteur désigné à cette fin par la Commission.

(2) Tout conducteur de motoneige doit, à la demande d'un agent, présenter son permis l'autorisant à conduire le véhicule dans les parcs aux fins d'examen.

(3) Nul ne doit conduire une motoneige dans les parcs sans avoir obtenu un permis délivré à cette fin en vertu de la *Loi sur les motoneiges*.

(4) Nul ne doit conduire une motoneige dans les parcs, sauf s'il est assuré en vertu d'une police de responsabilité automobile conformément à la *Loi sur les assurances*.

13. Nul ne doit se trouver dans les parcs après le coucher du soleil et avant 9 h sans permis délivré expressément à cette fin par la Commission.

14. Nul ne doit organiser un pique-nique pour un groupe, sauf dans les lieux désignés à cette fin par la Commission.

15. Dans les parcs, nul ne doit se livrer à des activités sportives ou à des activités récréatives semblables, sauf dans les endroits des parcs désignés à cette fin par les agents.

16.

16.1

CAMPING

17. (1) Les définitions qui suivent s'appliquent au présent article et aux articles 18 à 21.

«permis d'utilisation d'un emplacement de camping» Permis délivré aux fins visées au paragraphe 19 (1). («camp-site permit»)

«permis saisonnier d'utilisation d'un emplacement de camping» Permis délivré aux fins visées au paragraphe 20 (1). («seasonal camp-site permit»)

(2) Nul ne doit camper dans les parcs sans avoir obtenu un permis d'utilisation d'un emplacement de camping ou un permis saisonnier d'utilisation d'un emplacement de camping délivré par l'agent responsable du terrain de camping.

(3) Le permis d'utilisation d'un emplacement de camping et le permis saisonnier d'utilisation d'un emplacement de camping expirent à 14 h, heure locale, le dernier jour de la période pour laquelle ils ont été délivrés.

(4) Le titulaire de permis qui quitte l'emplacement de camping remet son permis à l'agent responsable de l'emplacement de camping.

(5) Le titulaire de permis n'a pas droit à un remboursement s'il remet son permis avant la date et l'heure d'expiration.

18. (1) Les personnes à qui un permis d'utilisation d'un emplacement de camping a été délivré ne doivent pas laisser l'emplacement de camping inoccupé pendant une période de plus de 48 heures sans avoir obtenu la permission écrite du directeur général.

(2) Si le titulaire de permis ne se conforme pas aux exigences du paragraphe (1), le directeur général peut annuler le permis et enlever le matériel se trouvant sur l'emplacement de camping afin de le mettre en lieu sûr.

19. (1) Le permis d'utilisation d'un emplacement de camping autorise le titulaire et le groupe qui l'accompagne à camper sur l'emplacement de camping désigné dans le permis pendant la période précisée dans le permis ou pendant une période de 14 jours si celle-ci est plus courte.

(2)

(2.1)

(3)

(4) Le titulaire d'un permis d'utilisation d'un emplacement de camping ne doit pas permettre à plus de six personnes d'occuper un emplacement de camping.

(5) Le paragraphe (4) ne s'applique pas à un emplacement de camping occupé par un groupe formé des personnes suivantes :

- a) une ou deux personnes âgées d'au moins 18 ans;
- b) des personnes âgées de moins de 18 qui sont apparentées à l'une des personnes visées à l'alinéa a) ou aux deux.

20.

21. (1) Sous réserve du paragraphe (2), le permis d'utilisation d'un emplacement de camping ou le permis saisonnier d'utilisation d'un emplacement de camping autorise le titulaire à stationner un véhicule et une remorque sur un emplacement de camping.

(2) Dans les parcs, nul ne doit stationner un véhicule ou une remorque sur un emplacement de camping durant une période totalisant plus de 14 jours au cours d'une année civile, à l'exception des titulaires d'un permis saisonnier valide d'utilisation d'un emplacement de camping.

(3) L'agent responsable d'un terrain de camping peut délivrer un permis relatif à un véhicule supplémentaire au titulaire d'un permis valide d'utilisation d'un emplacement de camping ou d'un permis saisonnier valide d'utilisation d'un emplacement de camping ou à ses invités s'il existe une zone désignée pour le stationnement de véhicules supplémentaires.

(4) Nul ne doit stationner un véhicule pour lequel un permis relatif à un véhicule supplémentaire a été délivré, sauf dans une zone désignée à cette fin.

(5)

NAVIGATION DE PLAISANCE

22. (1) Les définitions qui suivent s'appliquent au présent article.

«bateau» Bateau de quelque type que ce soit. («boat»)

«saison» Période allant du 15 avril au 31 octobre inclusivement. («season»)

(2) Un bateau loué à la journée ou à la demi-journée doit être retourné avant le coucher du soleil.

(3) À l'exception des titulaires de permis saisonnier, nul ne doit amarrer un bateau dans les parcs durant une période totalisant plus de 14 jours consécutifs au cours d'une année civile.

23.

23.1

24.

AMENDES

25. La contravention au présent règlement donne lieu à une amende d'au plus 300 \$.

FORMULE 1 PERMIS

Loi sur la Commission de la promenade Sainte-Claire

LA COMMISSION DE LA PROMENADE SAINTE-CLAIRE

Nom du parc

Heure de départ : 14 h

Durée maximale du séjour : 14 jours

Nom

Adresse

N° d'immatriculation du véhicule

N° d'immatriculation du bateau

N° de l'emplacement de camping Date d'expiration

N° du quai d'amarrage quotidien du bateau Date d'expiration

| Type de véhicule de camping | NOMBRE DE PERSONNES DANS LE GROUPE | | | DATE DE DÉLIVRANCE | | Nombre de jours |
|--------------------------------|------------------------------------|-------|-------|--------------------|------|-----------------|
| | Ontario | Autre | É.-U. | Jour | Mois | |
| | | | | | | |
| Longueur du bateau | NOMBRE DE PERSONNES DANS LE GROUPE | | | DATE DE DÉLIVRANCE | | Nombre de jours |
| | Ontario | Autre | É.-U. | Jour | Mois | |
| pieds | | | | | | |

| | Nbre de jours | Tarif | Dollars | Cents |
|---------------------------|------------------|-------|---------|-------|
| Camping | | | | |
| | Nbre de jours | Tarif | Dollars | Cents |
| Bateau | | | | |
| | Nbre de jours | Tarif | Dollars | Cents |
| Électricité/ Toilettes | | | | |

| | |
|---------------------|--|
| TOTAL | |
| \$ | |
| AUCUN REMBOURSEMENT | |

UN NOUVEAU PERMIS EST NÉCESSAIRE POUR OBTENIR UNE PROLONGATION DE SÉJOUR.

INSCRIPTION ET REÇU

.....
Signature du délivreur de permis

Made by:
Pris par :

THE ST. CLAIR PARKS COMMISSION:
COMMISSION DES PARCS DE LA SAINTE-CLAIRE :

TODD CASE
Chair
Président

DONALD LOUGHEED
Secretary-Treasurer/General Manager
Secrétaire-trésorier et directeur général

Date made: November 15, 2005.
Pris le : 15 novembre 2005.

08/06

ONTARIO REGULATION 28/06

made under the

ST. LAWRENCE PARKS COMMISSION ACT

Made: October 17, 2005
Approved: February 3, 2006
Filed: February 7, 2006
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Amending Reg. 1023 of R.R.O. 1990
(Parks)

Note: Regulation 1023 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Regulation 1023 of the Revised Regulations of Ontario, 1990 is amended by adding the following French version:

PARCS

DÉFINITIONS

1. Les définitions qui suivent s'appliquent au présent règlement.

«agent» Personne nommée en qualité de responsable d'une partie des parcs. («officer»)

«emplacement de camping» Parcelle de terrain située dans un secteur exploité par la Commission à des fins de camping, et qui est marquée au moyen de jalons, plantés aux quatre coins de la parcelle, sur lesquels est peint ou inscrit de toute autre façon un numéro d'identification. («camp-site»)

«matériel d'hébergement» Matériel utilisé pour le camping ou pour la consommation de repas. S'entend notamment d'une tente, d'une remorque, d'une tente-remorque, d'un véhicule de loisirs, d'une campeuse, d'un abri pour la consommation de repas et de tout matériel semblable. («shelter equipment»)

«résident de l'Ontario» Personne qui a effectivement résidé en Ontario pendant une période minimale de sept mois au cours des 12 mois qui précèdent immédiatement le moment où son statut de résident devient pertinent pour l'application du présent règlement. («resident of Ontario»)

«motoneige» : Bâtiment pourvu de caissons avec chasse à eau, d'un système d'éclairage électrique et d'eau chaude. («common station»)

«véhicule» Véhicule au sens du *Code de la route*. («vehicle»)

«véhicule polyvalent» S'entend :

- a) soit d'une motoneige au sens de l'article 1 de la *Loi sur les motoneiges*;
- b) soit d'un véhicule tout terrain au sens de l'article 1 de la *Loi sur les véhicules tout terrain*. («all terrain vehicle»)

COMPORTEMENT DES PERSONNES QUI UTILISENT LES PARCS

2. (1) Nul ne doit, dans les parcs :

- a) couper, enlever ou endommager une plante, un arbrisseau ou un arbre;
- b) abîmer, enlever ou endommager les biens de la Commission;
- c) aller dans un secteur qui n'est pas entretenu à cette fin, comme l'indiquent des affiches.

(2) Nul ne doit aller dans les parcs, par quelque moyen que ce soit, sauf à un point d'entrée désigné par un agent.

3. (1) Nul ne doit :

- a) se comporter de manière à nuire de façon déraisonnable à l'utilisation et à la jouissance des parcs par autrui;
- b) vendre ou mettre en vente un article ou un service dans les parcs sans un permis à cet effet délivré par la Commission;
- c) mendier ou demander la charité dans les parcs.

(2) L'agent ou l'agent de police qui croit, en se fondant sur des motifs raisonnables et probables, qu'une personne a contrevenu au paragraphe (1) peut l'expulser des parcs et peut annuler les permis de celle-ci qui se rapportent aux parcs.

(3) Le titulaire d'un permis annulé en vertu du paragraphe (2) n'a pas droit à un remboursement.

(4) Quiconque a été expulsé des parcs en vertu du paragraphe (2) ne doit pas entrer ni tenter d'entrer dans les parcs dans les 10 jours suivants sans la permission d'un agent.

(5) L'agent peut interdire à la personne qui a été expulsée des parcs en vertu du paragraphe (2) à deux reprises au cours d'une même saison d'y entrer pendant le reste de la saison.

4. Nul ne doit, selon le cas :

- a) avoir en sa possession un fusil à air comprimé ou une arme à feu dans les parcs, sauf si l'arme est rangée dans un étui et si la personne qui l'a en sa possession est de passage et se dirige vers un point de chasse déterminé;
- b) allumer ni faire partir des pièces de feux d'artifice, notamment des pétards ou des fusées dans les parcs, sauf aux jours, heures et lieux que fixe l'agent.

5. (1) Nul ne doit jeter des détritiques ni abandonner des objets dans les parcs, sauf dans les récipients fournis par la Commission à cette fin.

(2) Les personnes qui utilisent dans les parcs une installation, notamment un emplacement de camping, gardent les lieux dans un état propre et salubre. Avant de quitter les lieux, elles rétablissent l'emplacement de camping ou l'installation dans son état naturel dans la mesure du possible et en enlèvent tous leurs effets personnels.

6. (1) La *Loi sur la prévention des incendies de forêt* et les règlements pris en application de celle-ci s'appliquent, avec les adaptations nécessaires, aux parcs comme s'ils étaient situés à l'intérieur d'une région déclarée région d'incendie.

(2) Malgré le paragraphe (1), nul ne doit allumer ou entretenir un feu dans les parcs, sauf, selon le cas :

- a) dans les foyers fournis par la Commission à cette fin;
- b) à l'endroit désigné par un agent.

(3) Les personnes qui allument un feu dans les parcs ne doivent pas le laisser brûler sans surveillance.

(4) Dans les parcs, nul ne doit fumer dans une construction, notamment un bâtiment, où la Commission a fait installer une affiche l'interdisant.

7. (1) Nul ne doit amener un animal dans les parcs, sauf s'il est attaché à une laisse d'une longueur maximale de deux mètres.

(2) Nul ne doit faire de l'équitation dans les parcs, sauf sur les voies publiques ou aux jours, heures et lieux que la Commission fixe à cette fin.

(3) Nul ne doit permettre à un animal, notamment un cheval ou un chien, attaché à une laisse ou non, d'aller dans les eaux des parcs servant à la baignade ou sur la plage adjacente.

(4) Nul ne doit laisser un animal faire trop de bruit ou déranger d'une autre façon les autres personnes se trouvant dans les parcs.

(5) L'agent peut saisir et mettre en fourrière ou faire saisir et mettre en fourrière un animal, notamment un cheval ou un chien, lorsque son propriétaire ou la personne qui en a la garde contrevient au paragraphe (1), (3) ou (4).

(6) Lorsque l'agent saisit ou met en fourrière un animal en vertu du paragraphe (5), il l'emmène dans une fourrière au sens de la *Loi sur les fourrières*.

8. Nul ne doit conduire un véhicule dans les parcs, sauf sur une chaussée ou à tout autre endroit désigné à cette fin.

9. Aucune personne ne doit conduire un véhicule polyvalent dans les parcs, sauf si un agent autorise son utilisation dans un secteur déterminé et dans un but précis, et si la personne est assurée en vertu d'une police de responsabilité automobile conformément à la *Loi sur les assurances*.

10. (1) Sous réserve des paragraphes (2) à (6), nul ne doit conduire un véhicule sur la chaussée des parcs à une vitesse supérieure à 25 kilomètres à l'heure.

(2) Nul ne doit conduire un véhicule sur la promenade Long Sault à une vitesse supérieure à 55 kilomètres à l'heure.

(3) Nul ne doit conduire un véhicule sur la chaussée qui va de la route principale N° 2 jusqu'aux points d'entrée du Fort Henry à une vitesse supérieure à 30 kilomètres à l'heure.

(4) Sous réserve du paragraphe (5), nul ne doit conduire un véhicule sur la promenade des Mille-Îles à une vitesse supérieure à 80 kilomètres à l'heure.

(5) Nul ne doit conduire un véhicule sur le tronçon de la promenade des Mille-Îles où la vitesse maximale affichée est de 60 kilomètres à l'heure à une vitesse supérieure à cette limite.

(6) Nul ne doit conduire un véhicule sur la route Upper Canada à une vitesse supérieure à 80 kilomètres à l'heure.

(7) Malgré les paragraphes (1) à (6), nul ne doit conduire un véhicule dans les parcs à une vitesse qui constitue un danger pour les personnes ou les biens.

11. (1) Les définitions qui suivent s'appliquent au présent article.

«promenade» La promenade des Mille-Îles qui constitue la propriété destinée aux fins d'une voie publique et dévolue à la Commission par le Règlement 908 des Règlements refondus de l'Ontario de 1980. («Parkway»)

«stationner» Action d'immobiliser un véhicule automobile, occupé ou non, sauf de façon provisoire ou dans des circonstances indépendantes de la volonté de la personne qui conduit le véhicule. («park»)

«véhicule lourd» Véhicule d'un poids brut supérieur à 5 000 kilogrammes ou véhicule ou ensemble de véhicules qui transmettent à la voie publique un poids supérieur à 5 000 kilogrammes. («heavy vehicle»)

«voie publique» Voie publique au sens du *Code de la route*. («highway»)

(2) Nul ne doit utiliser ou stationner un véhicule lourd sur la promenade sans le consentement de la Commission.

(3) Le paragraphe (2) ne s'applique pas aux personnes suivantes :

- a) la personne utilisant un véhicule lourd qui est la propriété du gouvernement du Canada, de la province de l'Ontario, d'une municipalité locale, d'un conseil ou d'un organisme de ceux-ci, ou qui est utilisé pour leur compte;
- b) la personne qui effectue la livraison de marchandises ou de biens meubles à une propriété contiguë à la promenade ou qui en fait la collecte depuis cette propriété qui n'offre aucune autre voie d'entrée ou de sortie si le véhicule lourd qu'elle utilise emprunte, pour s'engager sur la promenade et la quitter, la voie publique transversale la plus rapprochée de la propriété;
- c) la personne qui utilise un véhicule lourd qui est un véhicule de loisirs;
- d) la personne qui conduit un autobus au sens du *Code de la route*.

12. Nul ne doit faire atterrir un aéronef dans les parcs, sauf dans un aéroport visé par un permis délivré aux termes de la *Loi sur l'aéronautique* (Canada).

13. (1) Les agents peuvent diriger la circulation. En cas d'incendie, d'accident, d'embouteillage ou de toute autre situation d'urgence, ils peuvent diriger la circulation dans une direction pour empêcher un embouteillage, pour décongestionner la circulation ou pour donner un droit de passage.

(2) Quiconque reçoit un ordre donné en vertu du paragraphe (1) est tenu d'y obéir.

livraisons.

15. Dans les parcs, nul ne doit stationner un véhicule, sauf dans un lieu désigné à cette fin par un agent.
16. Aucune personne ni aucun véhicule ne doivent se trouver dans les parcs après le coucher du soleil et avant 9 h sans permis délivré expressément à cette fin par la Commission.
17. Nul ne doit organiser un pique-nique dans les parcs, sauf dans les lieux prévus à cette fin par la Commission.
18. Nul ne doit se livrer à des activités sportives dans les parcs, sauf dans les lieux prévus à cette fin par la Commission.
19. (1) Nul ne doit utiliser un bateau, une planche à voile, des skis nautiques, un aquaplane ou un objet semblable dans un secteur désigné comme lieu de baignade dans les parcs.
- (2) Nul ne doit laisser, dans les parcs, un bateau ou une planche à voile sur une plage adjacente à un lieu de baignade désigné.

CAMPING

20. Nul ne doit occuper un emplacement de camping dans les parcs sans un permis d'utilisation d'un emplacement de camping et de véhicule délivré par l'agent responsable du terrain de camping.
21. (1) Le permis d'utilisation d'un emplacement de camping et de véhicule autorise le titulaire et le groupe qui l'accompagne à occuper l'emplacement de camping désigné par le permis pendant une période d'au plus 23 jours consécutifs.
- (2) Est précisée sur le permis d'utilisation d'un emplacement de camping et de véhicule la période de 23 jours consécutifs mentionnée au paragraphe (1).
22. (1) L'agent peut délivrer un permis relatif à un véhicule supplémentaire au titulaire d'un permis valide d'utilisation d'un emplacement de camping et de véhicule ou à ses invités, si une zone aménagée pour le stationnement de véhicules supplémentaires est disponible.
- (2) Nul ne doit, dans les parcs, stationner un véhicule pour lequel un permis relatif à un véhicule supplémentaire a été délivré, sauf dans une zone désignée à cette fin.
23. (1) Nul ne doit placer ni faire placer sur un emplacement de camping plus de un véhicule et plus de trois éléments de matériel d'hébergement.
- (2) Nul ne doit construire un quai ou un hangar sur un emplacement de camping ou à proximité de celui-ci.
24. (1) Le permis d'utilisation d'un emplacement de camping et de véhicule expire à 14 h, le dernier jour de la période pour laquelle il a été délivré.
- (2) Le titulaire de permis qui quitte l'emplacement de camping remet son permis à l'agent responsable des parcs.
- (3) Le titulaire de permis n'a pas droit à un remboursement s'il remet son permis avant la date et l'heure d'expiration.
- (4) Les personnes à qui un permis d'utilisation d'un emplacement de camping et de véhicule a été délivré la première fois pour un emplacement de camping désigné ne doivent pas le laisser inoccupé pendant une période de plus de huit heures au cours des 24 premières heures qui suivent la délivrance du permis.
- (5) Outre les exigences du paragraphe (4), les personnes à qui un permis d'utilisation d'un emplacement de camping et de véhicule a été délivré ne doivent pas laisser l'emplacement de camping inoccupé pendant une période de plus de 48 heures sans la permission écrite de l'agent.
- (6) L'agent peut annuler le permis des personnes qui ont contrevenu au paragraphe (4), (5) ou (9) sans leur rembourser tout ou partie des sommes d'argent versées pour celui-ci.
- (7) Les visiteurs se rendant sur un emplacement de camping quittent les parcs au plus tard à 21 h, le jour de leur entrée.
- (8) Les agents peuvent expulser des parcs les visiteurs qui demeurent sur un emplacement de camping après 21 h.
- (9) Le titulaire d'un permis d'utilisation d'un emplacement de camping, autre qu'un permis d'utilisation d'un emplacement de camping de groupe, ne doit pas permettre à plus de six personnes d'occuper l'emplacement de camping.
- (10) Le paragraphe (9) ne s'applique pas à un groupe de un ou deux adultes accompagnés d'enfants qui leurs sont apparentés.
25. (1) Dans les parcs, nul ne doit faire entrer un véhicule, à l'exception d'un autobus immatriculé aux termes de la *Loi sur les véhicules de transport en commun*, sans avoir obtenu un permis quotidien relatif au véhicule, un permis saisonnier relatif au véhicule, un permis d'utilisation d'un emplacement de camping et de véhicule ou un permis relatif à un véhicule supplémentaire.
- (2) Le permis quotidien relatif à un véhicule expire à l'heure affichée pour la fermeture des parcs le jour pour lequel il a été délivré.

(3) Le permis saisonnier relatif à un véhicule est valide du 1^{er} avril au 31 octobre inclusivement.

(4) La personne qui fait entrer dans les parcs un véhicule aux termes d'un permis quotidien relatif à un véhicule ou d'un permis saisonnier relatif à un véhicule ne doit pas permettre qu'il y demeure après l'heure affichée pour la fermeture des parcs le jour de l'entrée.

26. Les permis délivrés aux termes du présent règlement ne peuvent être cédés ou transférés.

27. L'agent peut ouvrir ou fermer au public les parcs ou une partie de ceux-ci en posant des affiches ou de toute autre façon convenable dans le but, selon le cas :

- a) d'empêcher le surpeuplement des installations des parcs;
- b) de contrôler une situation d'urgence, notamment un incendie ou une inondation;
- c) d'assurer la sécurité publique;
- d) de faciliter les travaux, notamment les travaux d'entretien et de construction, exécutés par la Commission ou sous son autorité;
- e) de préserver ou de protéger l'environnement.

PERMIS DE TRANSPORT

28. Nul ne doit transporter un bâtiment ou une construction le long des parcs, à travers ceux-ci ou sur ceux-ci sans avoir obtenu un permis de transport délivré par la Commission.

RÉSERVATIONS

29. Les emplacements de camping situés dans le parc Ivy Lea, le parc Mille Roches, le parc Glengarry, le terrain de camping McLaren, le parc Riverside-Cedar, le Sanctuaire des oiseaux migrateurs Upper Canada ou le parc Woodlands peuvent être réservés après le 1^{er} avril pour une période comprise dans la saison d'ouverture s'ils sont disponibles.

30. Le permis encore en vigueur qui a été délivré pour autoriser l'entrée d'un véhicule automobile dans un parc aux termes de la *Loi sur les parcs provinciaux* est réputé un permis autorisant l'entrée de ce véhicule dans les parcs exploités par la Commission.

31.

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34. Il est interdit aux personnes qui ne possèdent pas de permis de conduire de louer une voiturette motorisée au terrain de golf Upper Canada au parc Chrysler Farm Battlefield.

35.

36.

37. (1) Toute personne peut installer un quai dans les parcs sur un bien-fonds adjacent à la promenade des Mille-Îles, sauf sur les biens-fonds situés dans les parcs Ivy Lea et Brown's Bay.

(2)

38.

39.

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41.

AMENDES

42. La contravention au présent règlement donne lieu à une amende d'au plus 500 \$.

ANNEXE 1

ANNEXES 1.1, 1.2, 1.3, 1.4, 1.5

ANNEXES 2, 3

ANNEXES 4, 5, 6

Pris par :

THE ST. LAWRENCE PARKS COMMISSION:
COMMISSION DES PARCS DU SAINT-LAURENT :

M. PARADIS
General Manager
Directeur général

GEORGE ASSALY
Chair
Président

Date made: October 17, 2005.
Pris le : 17 octobre 2005.

08/06

ONTARIO REGULATION 29/06

made under the

ONTARIO DISABILITY SUPPORT PROGRAM ACT, 1997

Made: February 3, 2006

Filed: February 8, 2006

Published on e-Laws: February 9, 2006

Printed in *The Ontario Gazette*: February 25, 2006

Amending O. Reg. 222/98
(General)

Note: Ontario Regulation 222/98 has previously been amended. Those amendments are listed in the Table of Regulations - Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Section 6 of Ontario Regulation 222/98 is revoked and the following substituted:

EMPLOYMENT ASSISTANCE REQUIREMENT FOR SOME MEMBERS OF BENEFIT UNIT

6. (1) Subject to subsection (2), it is a condition of eligibility for income support that the following members of a benefit unit complete a participation agreement under the *Ontario Works Act, 1997* and comply with Part III of Ontario Regulation 134/98 (General) made under that Act as though they were a participant to whom that Part applies:

1. A dependent adult.
 2. A spouse other than a spouse who has been determined to be a person with a disability under section 4 of the Act or a person who is a member of a prescribed class described under section 4.
- (2) Subsection (1) does not apply to a dependent adult or a spouse if he or she satisfies the Director,
- (a) that he or she is participating in one or more activities to assist the dependent adult or spouse become and stay employed or increase his or her income from employment and that compliance with Part III of Ontario Regulation 134/98 (General) made under the *Ontario Works Act, 1997* will not increase his or her chances of becoming and staying employed or increase his or her income from employment, as the case may be;
 - (b) that he or she meets at least one of the criteria set out in subsection 27 (2) of Part III of Ontario Regulation 134/98 (General) made under the *Ontario Works Act, 1997*, other than the criteria listed in paragraphs 3 and 5 of that subsection;
 - (c) that he or she provides care to a family member who requires physical assistance or supervision on an ongoing basis because of disability, illness or old age, and that, based on documentation from persons providing support services to the household, the assistance or supervision required to be provided by the caregiver makes participation impracticable; or

- (d) that there exist exceptional circumstances for excusing the dependent adult or spouse from compliance with Part III of Ontario Regulation 134/98 (General) made under the *Ontario Works Act, 1997*.

2. Section 19 of the Regulation is revoked and the following substituted:

19. (1) If a former recipient makes a new application for income support, a previous determination that the former recipient was a person with a disability shall be a valid determination for the purposes of the new application.

(2) Subsection (1) does not apply if the previous determination was subject to a review date under section 5 and on a review, the person was found to be no longer a person with a disability.

(3) A previous determination that is relied upon for the purpose of re-instating a former recipient under subsection (1) shall be subject to a review after the re-instatement if a review date was set for the previous determination under section 5 and the review had not yet occurred at the time the former recipient is re-instated for income support.

(4) The review date for a review under subsection (3) shall be,

(a) the review date originally set for the previous determination under section 5 if that date has not yet passed when the former recipient is re-instated; and

(b) if the review date set under section 5 has passed, a date set by the Director.

3. Section 20 of the Regulation is amended by adding “and” at the end of clause (a) and striking out clause (b).

4. (1) Subsection 24 (1) of the Regulation is amended by striking out “dependent adult” in the portion before clause (a) and substituting “dependent adult or a spouse”.

(2) Subsection 24 (1.1) of the Regulation is amended by striking out “dependent adult” wherever it appears and substituting in each case “dependent adult or spouse”.

(3) Subclauses 24 (2) (a) (i) and (ii) of the Regulation are amended by striking out “dependent adult” wherever it appears and substituting in each case “dependent adult or spouse”.

5. (1) Subparagraph 1 ii of section 38 of the Regulation is revoked.

(2) Subparagraph 1 iii of section 38 of the Regulation is amended,

(a) by striking out “25 per cent” at the beginning and substituting “50 per cent”; and

(b) by striking out “under subparagraphs i and ii” at the end and substituting “under subparagraph i”.

(3) Subparagraph 1 v of section 38 of the Regulation is amended by striking out “up to a maximum of \$140” in the portion before sub-subparagraph A and substituting “up to a maximum of \$300”.

(4) Subparagraph 2 ii of section 38 of the Regulation is revoked and the following substituted:

ii. otherwise is \$600 per month.

6. (1) Paragraph 6 of subsection 44 (1) of the Regulation is revoked and the following substituted:

EMPLOYMENT AND TRAINING START UP ASSISTANCE

6. An amount determined by the Director for expenses approved by the Director and reasonably necessary for the person to begin a new employment or an employment assistance activity, up to a maximum in any 12-month period with respect to any one person of \$500, if a recipient, a spouse included in the benefit unit or a dependent adult who is not attending school full time,

i. begins or changes employment,

ii. begins an employment assistance activity under the *Ontario Works Act, 1997*, or

iii. begins any other activity intended to assist the person to become and stay employed that is approved by the Director.

(2) Subsection 44 (1) of the Regulation is amended by adding the following paragraphs:

EXIT FROM INCOME SUPPORT FOR EMPLOYMENT

6.1 An amount of \$500 to be paid with respect to the month immediately preceding the month in which a recipient ceases to be eligible for income support if,

i. the reason for ceasing to be eligible for income support is that the income of the person’s benefit unit equals or exceeds the benefit unit’s budgetary requirements as determined under this Regulation,

- iii. no amount under this paragraph has been paid to the recipient in the 12 months immediately preceding the month in respect of which the amount is paid.

TRANSPORTATION EXPENSES

- 6.2 A monthly amount of \$100 for transportation expenses for a recipient, a spouse included in the benefit unit or a dependent adult who is not in school full-time if,
- he or she earns income from employment or a training program, or
 - his or her net income from the operation of a business as determined by the Director is a positive amount.

(3) Paragraph 7 of subsection 44 (1) of the Regulation is revoked and the following substituted:

7. An amount determined by the Director, up to a maximum in any 12-month period of the amount that the person would be entitled to as a deduction for child care under section 38 if,
- a recipient, a spouse included in the benefit unit or a dependent adult who is not attending school full time,
 - begins or changes employment,
 - begins an employment assistance activity under the *Ontario Works Act, 1997*, or
 - begins any other activity intended to assist the person to become and stay employed that is approved by the Director, and
 - in the opinion of the Director, the person is required to pay in advance for child care that is reasonably necessary to permit the person to begin the new employment or activity.

7. (1) Subject to subsection (2), this Regulation comes into force on November 1, 2006.

(2) Sections 1 and 4 come into force on April 1, 2006.

RÈGLEMENT DE L'ONTARIO 29/06

pris en application de la

LOI DE 1997 SUR LE PROGRAMME ONTARIEN DE SOUTIEN AUX PERSONNES HANDICAPÉES

pris le 3 février 2006
déposé le 8 février 2006
publié sur le site Lois-en-ligne le 9 février 2006
imprimé dans la *Gazette de l'Ontario* le 25 février 2006

modifiant le Règl. de l'Ont. 222/98
(Dispositions générales)

Remarque : Le Règlement de l'Ontario 222/98 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des règlements qui se trouve sur le site www.lois-en-ligne.gouv.on.ca.

1. L'article 6 du Règlement de l'Ontario 222/98 est abrogé et remplacé par ce qui suit :

EXIGENCE RELATIVE À L'AIDE À L'EMPLOI POUR CERTAINS MEMBRES D'UN GROUPE DE PRESTATAIRES

6. (1) Sous réserve du paragraphe (2), entre autres conditions d'admissibilité au soutien du revenu, les membres suivants d'un groupe de prestataires doivent conclure une entente de participation prévue par la *Loi de 1997 sur le programme Ontario au travail* et se conformer à la partie III du Règlement de l'Ontario 134/98 (Dispositions générales) pris en application de cette loi comme s'ils étaient des participants à qui cette partie s'applique :

- Un adulte à charge.
- Un conjoint, sauf un conjoint qui a été reconnu comme étant une personne handicapée aux termes de l'article 4 de la Loi ou une personne qui est membre d'une catégorie prescrite comme le prévoit cet article.

(2) Le paragraphe (1) ne s'applique pas à l'adulte à charge ou au conjoint qui convainc le directeur :

- a) soit qu'il participe à une ou plusieurs activités qui visent à l'aider à se faire employer et à le rester ou à augmenter son revenu d'emploi et que la conformité à la partie III du Règlement de l'Ontario 134/98 (Dispositions générales) pris en application de la *Loi de 1997 sur le programme Ontario au travail* n'augmentera pas ses chances de se faire employer et de le rester ou n'augmentera pas son revenu d'emploi, selon le cas;
- b) soit qu'il satisfait à un ou à plusieurs des critères énoncés au paragraphe 27 (2) de la partie III du Règlement de l'Ontario 134/98 (Dispositions générales) pris en application de la *Loi de 1997 sur le programme Ontario au travail*, sauf ceux énoncés aux dispositions 3 et 5 de ce paragraphe;
- c) soit qu'il fournit des soins à un membre de sa famille qui a besoin de façon continue d'une aide physique ou de surveillance en raison d'un handicap, d'une maladie ou de son âge avancé, et que, selon des documents provenant de personnes qui fournissent des services de soutien au ménage, l'aide ou la surveillance qu'il doit fournir fait que sa participation n'est pas possible dans les circonstances;
- d) soit qu'il existe des circonstances exceptionnelles pour le dispenser de se conformer à la partie III du Règlement de l'Ontario 134/98 (Dispositions générales) pris en application de la *Loi de 1997 sur le programme Ontario au travail*.

2. L'article 19 du Règlement est abrogé et remplacé par ce qui suit :

19. (1) Si un ancien bénéficiaire fait une nouvelle demande de soutien du revenu, une décision antérieure selon laquelle il était une personne handicapée constitue une décision valable aux fins de la nouvelle demande.

(2) Le paragraphe (1) ne s'applique pas si une date de révision a été fixée à l'égard de la décision antérieure aux termes de l'article 5 et que, à l'issue de la révision, une décision a été rendue selon laquelle l'ancien bénéficiaire n'était plus une personne handicapée.

(3) Une décision antérieure sur laquelle on se fie pour réadmettre un ancien bénéficiaire aux termes du paragraphe (1) fait l'objet d'une révision après la réadmission si une date de révision a été fixée à son égard aux termes de l'article 5 mais que la révision n'a pas encore eu lieu au moment où l'ancien bénéficiaire est réadmis au soutien du revenu.

(4) La date de la révision effectuée aux termes du paragraphe (3) est :

- a) la date de révision fixée initialement à l'égard de la décision antérieure aux termes de l'article 5, si elle n'est pas encore passée au moment où l'ancien bénéficiaire est réadmis;
- b) la date que fixe le directeur, si la date de révision fixée aux termes de l'article 5 est passée.

3. L'article 20 du Règlement est modifié par suppression de l'alinéa b).

4. (1) Le paragraphe 24 (1) du Règlement est modifié par substitution de «un adulte à charge ou un conjoint» à «un adulte à charge» dans le passage qui précède l'alinéa a).

(2) Le paragraphe 24 (1.1) du Règlement est modifié par substitution de «de l'adulte à charge ou du conjoint» à «de l'adulte à charge» et par substitution de «que l'adulte à charge ou le conjoint» à «que l'adulte à charge».

(3) Les sous-alinéas 24 (2) a) (i) et (ii) du Règlement sont modifiés par substitution de «de l'adulte à charge ou du conjoint» à «de l'adulte à charge» partout où figure cette expression.

5. (1) La sous-disposition 1 ii de l'article 38 du Règlement est abrogée.

(2) La sous-disposition 1 iii de l'article 38 du Règlement est modifiée :

- a) par substitution de «50 pour cent» à «25 pour cent» au début de la sous-disposition;
- b) par substitution de «aux termes de la sous-disposition i» à «aux termes des sous-dispositions i et ii» à la fin de la sous-disposition.

(3) La sous-disposition 1 v de l'article 38 du Règlement est modifiée par substitution de «jusqu'à concurrence de 300 \$» à «jusqu'à concurrence de 140 \$» au passage qui précède la sous-sous-disposition A.

(4) La sous-disposition 2 ii de l'article 38 du Règlement est abrogée et remplacée par ce qui suit :

- ii. est 600 \$ par mois dans les autres cas.

6. (1) La disposition 6 du paragraphe 44 (1) du Règlement est abrogée et remplacée par ce qui suit :

AIDE AU COMMENCEMENT DE L'EMPLOI ET DE LA FORMATION

- 6. Le montant déterminé par le directeur pour les dépenses qu'il approuve et qui sont raisonnablement nécessaires pour que la personne commence un nouvel emploi ou une activité d'aide à l'emploi, jusqu'à concurrence de 500 \$ par personne par période de 12 mois, si un bénéficiaire, un conjoint compris dans le groupe de prestataires ou un adulte à charge qui ne fréquente pas l'école à plein temps :

ii. soit commence une activité d'aide à l'emploi visée par la *Loi de 1997 sur le programme Ontario au travail*,

iii. soit commence toute autre activité qu'approuve le directeur et qui vise à l'aider à trouver et à conserver un emploi.

(2) Le paragraphe 44 (1) du Règlement est modifié par adjonction des dispositions suivantes :

PASSAGE DU SOUTIEN DU REVENU À UN EMPLOI

6.1 Un montant égal à 500 \$ à verser à l'égard du mois qui précède immédiatement le mois où un bénéficiaire cesse d'être admissible au soutien du revenu si :

- i. il cesse d'y être admissible du fait que le revenu de son groupe de prestataires égale ou dépasse les besoins matériels du groupe déterminés aux termes du présent règlement,
- ii. le revenu de son groupe de prestataires comprend le revenu tiré d'un emploi, d'un programme de formation ou de l'exploitation d'une entreprise,
- iii. aucun montant prévu à la présente disposition ne lui a été versé au cours des 12 mois qui précèdent immédiatement le mois à l'égard duquel le montant est versé.

FRAIS DE DÉPLACEMENT

6.2 Un montant mensuel égal à 100 \$ pour les frais de déplacement d'un bénéficiaire, d'un conjoint compris dans le groupe de prestataires ou d'un adulte à charge qui ne fréquente pas l'école à plein temps si, selon le cas :

- i. cette personne gagne un revenu tiré d'un emploi ou d'un programme de formation,
- ii. le montant de son revenu net tiré de l'exploitation d'une entreprise, déterminé par le directeur, est un montant positif.

(3) La disposition 7 du paragraphe 44 (1) du Règlement est abrogée et remplacée par ce qui suit :

7. Le montant déterminé par le directeur, jusqu'à concurrence, par période de 12 mois, du montant auquel elle aurait droit à titre de déduction pour les services de garde d'enfants aux termes de l'article 38, si :

- i. d'une part, un bénéficiaire, un conjoint compris dans le groupe de prestataires ou un adulte à charge qui ne fréquente pas l'école à plein temps :
 - A. soit commence un emploi ou change d'emploi,
 - B. soit commence une activité d'aide à l'emploi visée par la *Loi de 1997 sur le programme Ontario au travail*,
 - C. soit commence toute autre activité qu'approuve le directeur et qui vise à l'aider à trouver et à conserver un emploi,
- ii. d'autre part, de l'avis du directeur, la personne est tenue de payer d'avance des services de garde d'enfants qui sont raisonnablement nécessaires pour lui permettre de commencer le nouvel emploi ou l'activité.

7. (1) Sous réserve du paragraphe (2), le présent règlement entre en vigueur le 1^{er} novembre 2006.

(2) Les articles 1 et 4 entrent en vigueur le 1^{er} avril 2006.

ONTARIO REGULATION 30/06

made under the

ONTARIO DISABILITY SUPPORT PROGRAM ACT, 1997

Made: February 3, 2006

Filed: February 8, 2006

Published on e-Laws: February 9, 2006

Printed in *The Ontario Gazette*: February 25, 2006

Amending O. Reg. 225/98

(Administration and Cost Sharing)

Note: Ontario Regulation 225/98 has previously been amended. Those amendments are listed in the Table of Regulations -- Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Section 5.0.1 of Ontario Regulation 225/98 is amended by adding the following paragraph:

6. A monthly benefit paid for transportation expenses under paragraph 6.2 of subsection 44 (1) of Ontario Regulation 222/98 (General) made under the Act.

2. This Regulation comes into force on November 1, 2006.

RÈGLEMENT DE L'ONTARIO 30/06

pris en application de la

LOI DE 1997 SUR LE PROGRAMME ONTARIEN DE SOUTIEN AUX PERSONNES HANDICAPÉES

pris le 3 février 2006

déposé le 8 février 2006

publié sur le site Lois-en-ligne le 9 février 2006

imprimé dans la *Gazette de l'Ontario* le 25 février 2006

modifiant le Règl. de l'Ont. 225/98

(Administration et partage des coûts)

Remarque : Le Règlement de l'Ontario 225/98 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des règlements qui se trouve sur le site www.lois-en-ligne.gouv.on.ca.

1. L'article 5.0.1 du Règlement de l'Ontario 225/98 est modifié par adjonction de la disposition suivante :

6. La prestation mensuelle versée pour les frais de déplacement prévus à la disposition 6.2 du paragraphe 44 (1) du Règlement de l'Ontario 222/98 (Dispositions générales) pris en application de la Loi.

2. Le présent règlement entre en vigueur le 1^{er} novembre 2006.

08/06

ONTARIO REGULATION 134/98

made under the

ONTARIO WORKS ACT, 1997

Made: February 3, 2006

Filed: February 8, 2006

Published on e-Laws: February 9, 2006

Printed in *The Ontario Gazette*: February 25, 2006

Amending O. Reg. 134/98
(General)

Note: Ontario Regulation 134/98 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Paragraph 1 of section 31 of Ontario Regulation 134/98 is revoked and the following substituted:

1. An applicant or recipient under the *Ontario Disability Support Program Act, 1997*.

1.1 A spouse or a dependent adult included in the benefit unit of an applicant or recipient under the *Ontario Disability Support Program Act, 1997* who is not required under subsection 6 (1) of Ontario Regulation 222/98 (General) made under that Act to complete a participation agreement and comply with this Part.

2. This Regulation comes into force on April 1, 2006.

RÈGLEMENT DE L'ONTARIO 31/06

pris en application de la

LOI DE 1997 SUR LE PROGRAMME ONTARIO AU TRAVAIL

pris le 3 février 2006

déposé le 8 février 2006

publié sur le site Lois-en-ligne le 9 février 2006

imprimé dans la *Gazette de l'Ontario* le 25 février 2006

modifiant le Règl. de l'Ont. 134/98
(Dispositions générales)

Remarque : Le Règlement de l'Ontario 134/98 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des règlements qui se trouve sur le site www.lois-en-ligne.gouv.on.ca.

1. La disposition 1 de l'article 31 du Règlement de l'Ontario 134/98 est abrogée et remplacée par ce qui suit :

1. L'auteur d'une demande ou un bénéficiaire au sens de la *Loi de 1997 sur le Programme ontarien de soutien aux personnes handicapées*.

1.1 Un conjoint ou un adulte à charge compris dans le groupe de prestataires de l'auteur d'une demande ou d'un bénéficiaire au sens de la *Loi de 1997 sur le Programme ontarien de soutien aux personnes handicapées* qui n'est pas tenu, aux termes du paragraphe 6 (1) du Règlement de l'Ontario 222/98 (Dispositions générales) pris en application de cette loi, de conclure une entente de participation et de se conformer à la présente partie.

2. Le présent règlement entre en vigueur le 1^{er} avril 2006.

ONTARIO REGULATION 32/06

made under the

FISH AND WILDLIFE CONSERVATION ACT, 1997

Made: January 6, 2006

Filed: February 8, 2006

Published on e-Laws: February 9, 2006

Printed in *The Ontario Gazette*: February 25, 2006

Amending O. Reg. 663/98

(Area Descriptions)

Note: Ontario Regulation 663/98 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Ontario Regulation 663/98 is amended by adding the following Part:**PART 6****WILDLIFE MANAGEMENT UNITS****6. (1) Ontario is divided into the wildlife management units described in Schedule 1.**

(2) Column 1 of Schedule 1 gives the number by which each wildlife management unit (WMU) is designated; Column 2 lists the geographic areas, as described in the regulations made under the *Territorial Division Act, 2002*, in which the corresponding wildlife management units designated in Column 1 are situated in whole or in part; and Column 3 provides the date of the plans showing the area of the wildlife management units that are filed in the Office of the Surveyor General of Ontario in the Ministry of Natural Resources.

SCHEDULE 1

| Column 1 | Column 2 | Column 3 |
|----------|----------------------------------|----------------|
| WMU | General Location | Date of Plan |
| 1A | Kenora | March 31, 2005 |
| 1B | Kenora | March 31, 2005 |
| 1C | Kenora | March 31, 2005 |
| 1D | Kenora | March 31, 2005 |
| 2 | Kenora | March 31, 2005 |
| 3 | Kenora | March 31, 2005 |
| 4 | Kenora | March 31, 2005 |
| 5 | Kenora | March 31, 2005 |
| 6 | Kenora | March 31, 2005 |
| 7A | Kenora | March 31, 2005 |
| 7B | Kenora, Rainy River | March 31, 2005 |
| 8 | Kenora | March 31, 2005 |
| 9A | Kenora, Rainy River | March 31, 2005 |
| 9B | Kenora, Rainy River | March 31, 2005 |
| 10 | Kenora, Rainy River | March 31, 2005 |
| 11A | Rainy River | March 31, 2005 |
| 11B | Rainy River, Thunder Bay | March 31, 2005 |
| 11C | Rainy River, Thunder Bay | March 31, 2005 |
| 12A | Kenora, Thunder Bay | March 31, 2005 |
| 12B | Kenora, Rainy River, Thunder Bay | March 31, 2005 |
| 13 | Thunder Bay | March 31, 2005 |
| 14 | Thunder Bay | March 31, 2005 |
| 15A | Kenora, Thunder Bay | March 31, 2005 |
| 15B | Thunder Bay | March 31, 2005 |
| 16A | Kenora | March 31, 2005 |
| 16B | Kenora, Thunder Bay | March 31, 2005 |
| 16C | Kenora, Thunder Bay | March 31, 2005 |
| 17 | Cochrane, Kenora, Thunder Bay | March 31, 2005 |
| 18A | Cochrane, Thunder Bay | March 31, 2005 |
| 18B | Cochrane | March 31, 2005 |

| Column 1 | Column 2 | Column 3 |
|----------|--|----------------|
| WMU | General Location | Date of Plan |
| 19 | Cochrane, Thunder Bay | March 31, 2005 |
| 20 | Thunder Bay | March 31, 2005 |
| 21A | Thunder Bay | March 31, 2005 |
| 21B | Algoma, Cochrane, Thunder Bay | March 31, 2005 |
| 22 | Algoma, Cochrane | March 31, 2005 |
| 23 | Algoma, Cochrane | March 31, 2005 |
| 24 | Cochrane | March 31, 2005 |
| 25 | Cochrane, Kenora | March 31, 2005 |
| 26 | Cochrane | March 31, 2005 |
| 27 | Cochrane | March 31, 2005 |
| 28 | Cochrane, Timiskaming | March 31, 2005 |
| 29 | Cochrane, Sudbury, Timiskaming | March 31, 2005 |
| 30 | Algoma, Cochrane, Sudbury, Timiskaming | March 31, 2005 |
| 31 | Algoma, Cochrane, Sudbury, Timiskaming | March 31, 2005 |
| 32 | Algoma, Sudbury | March 31, 2005 |
| 33 | Algoma, Thunder Bay | March 31, 2005 |
| 34 | Algoma, Thunder Bay | March 31, 2005 |
| 35 | Algoma, Sudbury | March 31, 2005 |
| 36 | Algoma, Thunder Bay | March 31, 2005 |
| 37 | Algoma, Manitoulin, Sudbury | March 31, 2005 |
| 38 | Algoma, Sudbury | March 31, 2005 |
| 39 | Sudbury | March 31, 2005 |
| 40 | Nipissing, Sudbury, Timiskaming | March 31, 2005 |
| 41 | Nipissing, Sudbury | March 31, 2005 |
| 42 | Algoma, Manitoulin, Nipissing, Sudbury | March 31, 2005 |
| 43A | Manitoulin | March 31, 2005 |
| 43B | Manitoulin, Sudbury | March 31, 2005 |
| 44 | Manitoulin | March 31, 2005 |
| 45 | Algoma | March 31, 2005 |
| 46 | Muskoka, Parry Sound, Sudbury | March 31, 2005 |
| 47 | Parry Sound, Sudbury | March 31, 2005 |
| 48 | Nipissing, Parry Sound, Renfrew | March 31, 2005 |
| 49 | Muskoka, Parry Sound | March 31, 2005 |
| 50 | Haliburton, Muskoka, Nipissing, Parry Sound | March 31, 2005 |
| 51 | Haliburton, Nipissing, Parry Sound | March 31, 2005 |
| 53A | Haliburton, Kawartha Lakes, Muskoka, Parry Sound | March 31, 2005 |
| 53B | Muskoka | March 31, 2005 |
| 54 | Haliburton, Muskoka | March 31, 2005 |
| 55A | Nipissing, Renfrew | March 31, 2005 |
| 55B | Renfrew | March 31, 2005 |
| 56 | Haliburton, Kawartha Lakes, Muskoka, Peterborough | March 31, 2005 |
| 57 | Haliburton, Hastings, Renfrew | March 31, 2005 |
| 58 | Lennox & Addington; Renfrew | March 31, 2005 |
| 59 | Lanark, Ottawa, Renfrew | March 31, 2005 |
| 60 | Haliburton, Hastings, Kawartha Lakes, Peterborough | March 31, 2005 |
| 61 | Frontenac; Hastings; Lennox & Addington; Renfrew | March 31, 2005 |
| 62 | Frontenac; Hastings; Lennox & Addington | March 31, 2005 |
| 63A | Frontenac; Lanark; Lennox & Addington; Ottawa; Renfrew | March 31, 2005 |
| 63B | Lanark | March 31, 2005 |
| 64A | Lanark, Ottawa | March 31, 2005 |
| 64B | Ottawa, Renfrew | March 31, 2005 |
| 65 | Ottawa; Prescott & Russell; Stormont, Dundas & Glengarry | March 31, 2005 |
| 66A | Lanark; Leeds & Grenville | March 31, 2005 |
| 66B | Leeds & Grenville | March 31, 2005 |
| 67 | Frontenac; Lanark; Leeds & Grenville | March 31, 2005 |
| 68A | Hastings | March 31, 2005 |
| 68B | Frontenac; Hastings; Lennox & Addington; Northumberland; | March 31, 2005 |
| 69A-1 | Hastings; Lennox & Addington | March 31, 2005 |
| 69A-2 | Lennox & Addington; Frontenac | March 31, 2005 |
| 69A-3 | Frontenac; Lennox & Addington | March 31, 2005 |

| Column 1 | Column 2 | Column 3 |
|----------|--|----------------|
| WMU | General Location | Date of Plan |
| 69B | Leeds & Grenville | March 31, 2005 |
| 70 | Prince Edward | March 31, 2005 |
| 71 | Hastings, Northumberland | March 31, 2005 |
| 72A | Durham, Northumberland | March 31, 2005 |
| 72B | Durham | March 31, 2005 |
| 73 | Durham, Kawartha Lakes, Northumberland, Peterborough | March 31, 2005 |
| 74A | Peterborough | March 31, 2005 |
| 74B | Northumberland, Peterborough | March 31, 2005 |
| 75 | Kawartha Lakes | March 31, 2005 |
| 76A | Simcoe | March 31, 2005 |
| 76B | Simcoe | March 31, 2005 |
| 76C | Simcoe | March 31, 2005 |
| 76D | Simcoe | March 31, 2005 |
| 76E | Simcoe | March 31, 2005 |
| 77A | Simcoe | March 31, 2005 |
| 77B | Dufferin, Simcoe | March 31, 2005 |
| 77C | Simcoe | March 31, 2005 |
| 78A | Durham | March 31, 2005 |
| 78B | York | March 31, 2005 |
| 78C | York | March 31, 2005 |
| 78D | Peel | March 31, 2005 |
| 78E | Durham, Peel, York, Toronto | March 31, 2005 |
| 79C | Halton | March 31, 2005 |
| 79D | Halton, Hamilton | March 31, 2005 |
| 80 | Dufferin, Waterloo, Wellington | March 31, 2005 |
| 81A | Dufferin | March 31, 2005 |
| 81B | Dufferin, Simcoe | March 31, 2005 |
| 82A | Bruce, Grey, Wellington | March 31, 2005 |
| 82B | Grey | March 31, 2005 |
| 82C | Grey | March 31, 2005 |
| 83A | Bruce | March 31, 2005 |
| 83B | Grey | March 31, 2005 |
| 83C | Bruce | March 31, 2005 |
| 84 | Bruce, Grey | March 31, 2005 |
| 85A | Bruce, Huron | March 31, 2005 |
| 85B | Huron, Wellington | March 31, 2005 |
| 85C | Huron | March 31, 2005 |
| 86A | Perth, Wellington | March 31, 2005 |
| 86B | Perth | March 31, 2005 |
| 87A | Waterloo | March 31, 2005 |
| 87B | Brant, Waterloo | March 31, 2005 |
| 87C | Wellington | March 31, 2005 |
| 87D | Hamilton | March 31, 2005 |
| 87E | Brant, Hamilton | March 31, 2005 |
| 88 | Hamilton, Niagara | March 31, 2005 |
| 89A | Niagara | March 31, 2005 |
| 89B | Haldimand, Niagara | March 31, 2005 |
| 90A | Brant, Haldimand, Norfolk | March 31, 2005 |
| 90B | Brant, Elgin, Norfolk, Oxford | March 31, 2005 |
| 91A | Middlesex, Oxford | March 31, 2005 |
| 91B | Oxford | March 31, 2005 |
| 92A | Middlesex | March 31, 2005 |
| 92B | Elgin, Middlesex | March 31, 2005 |
| 92C | Elgin, Middlesex | March 31, 2005 |
| 92D | Elgin, Middlesex, Norfolk, Oxford | March 31, 2005 |
| 93A | Chatham-Kent, Lambton | March 31, 2005 |
| 93B | Chatham-Kent | March 31, 2005 |
| 93C | Lambton | March 31, 2005 |
| 94A | Chatham-Kent, Essex | March 31, 2005 |
| 94B | Essex | March 31, 2005 |
| 95 | Essex | March 31, 2005 |

2. Regulation 530 (Wildlife Management Units) of the Revised Regulations of Ontario, 1990 is revoked.
3. This Regulation comes into force on June 1, 2006.

Made by:

DAVID JAMES RAMSAY
Minister of Natural Resources

Date made: January 6, 2006.

08/06

ONTARIO REGULATION 33/06

made under the

FISH AND WILDLIFE CONSERVATION ACT, 1997

Made: January 6, 2006
Filed: February 8, 2006
Published on e-Laws: February 9, 2006
Printed in *The Ontario Gazette*: February 25, 2006

Amending O. Reg. 670/98
(Open Seasons — Wildlife)

Note: Ontario Regulation 670/98 has previously been amended. Those amendments are listed in the Table of Regulations — Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Section 4 of Ontario Regulation 670/98 is revoked and the following substituted:

4. A reference in this Regulation to a wildlife management unit (WMU) is a reference to that unit as referred to in Schedule 1 to Part 6 of Ontario Regulation 663/98 (Area Descriptions) made under the Act except that if a wildlife management unit is referred to by whole number only, the whole number includes a reference to all of the wildlife management units referred to in Schedule 1 by that number used in combination with a letter, or a letter and another number.

2. Item 5 of Table 2 of the Regulation is revoked the following substituted:

| Item | Column 1 | Column 2 |
|------|---|---|
| | Area (Nos. refer to WMUs unless otherwise stated) | Open Season — Residents and Non-Residents |
| 5. | 48, 54, 55A, 55B, 56, 57, 58, 59, 60, 61, 62, 63 and 68 | From September 1 to November 30, in any year. |

3. Items 15 and 70 of Table 5 of the Regulation are revoked and the following substituted:

| Item | Column 1 | Column 2 | Column 3 | Column 4 |
|------|---|---|---|------------------|
| | Area (Nos. refer to WMUs unless otherwise stated) | Open Season — Residents | Open Season — Non-Residents | Class of Firearm |
| 15. | 60, 61, 62 | From October 15 to the Sunday immediately prior to the first Monday in November, in any year. | From October 15 to the Sunday immediately prior to the first Monday in November, in any year. | I |

| | | | | |
|-----|---|--|--|---|
| 70. | 36, 37, 38, 39, 41, 42, 46, 47, 48, 49, 50, 53A, 54, 55A, 55B, 56, 57, 58, 59, 60, 61, 62, 63, 67, 68A, 74B | From the first Monday in November to the second following Saturday, in any year. | From the first Monday in November to the second following Saturday, in any year. | 7 |
|-----|---|--|--|---|

4. Item 4.1 of Table 6 of the Regulation is revoked and the following substituted:

| Item | Column 1 | Column 2 | Column 3 |
|------|-----------------|---|--|
| | Species | Area (Nos. refer to schedules and paragraphs set out in Regulation 427 of R.R.O. 1980) | Open Season |
| 4.1 | Coyote and Wolf | WMUs 43, 44, 45, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94 and 95. | From October 1, in any year, to September 30 in the year next following. |

5. Items 3, 10, 18, 23 and 32 of Table 7 of the Regulation are revoked and the following substituted:

| Item | Column 1 | Column 2 | Column 3 | Column 4 | Column 5 | Column 6 |
|------|----------------------------|---|--|-------------|------------------|-------------------|
| | Species | Area (Nos. refer to WMUs unless otherwise stated) | Open Season — Residents and Non-Residents | Time Limits | Daily Bag Limits | Possession Limits |
| 3. | Gray Partridge (Hungarian) | 60, 68, 69A, 70 to 75, inclusive, 88, 89 | From September 25 or if September 25 falls on a Sunday, the Saturday immediately prior to September 25, to the second Saturday in November, in any year. | | 8 | 16 |

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| | | | | | | |
|-----|---------------------------------|---------------------|---|--|---------------------|----------------------|
| 10. | Ruffed Grouse and Spruce Grouse | 60, 68, 69A, 70, 71 | From September 25 or if September 25 falls on a Sunday, the Saturday immediately prior to September 25, to the last day in December, in any year. | | Combined total of 5 | Combined total of 15 |
|-----|---------------------------------|---------------------|---|--|---------------------|----------------------|

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| | | | | | | |
|-----|-----------------------------------|---------------------|---|--|--------------------------------------|--|
| 18. | Sharp-tailed Grouse and Ptarmigan | 60, 68, 69A, 70, 71 | From September 25 or if September 25 falls on a Sunday, the Saturday immediately prior to September 25, to the last day in December, in any year. | | 5 Sharp-tailed Grouse 5 Ptarmigan | 15 Sharp-tailed Grouse 15 Ptarmigan |
|-----|-----------------------------------|---------------------|---|--|--------------------------------------|--|

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| | | | | | | |
|-----|----------------------|---|--|--|-----------------|--|
| 23. | Ring-necked Pheasant | 60, 68, 69A, 70 to 77, inclusive, 81 to 86, inclusive | From September 25 or if September 25 falls on a Sunday, the Saturday immediately prior to September 25, to December 15, in any year. | | 3 of either sex | |
|-----|----------------------|---|--|--|-----------------|--|

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| | | | | | | |
|-----|-------------|---|---|---------------------------------|---|--|
| 32. | Wild Turkey | 48, 55B, 58, 59, 60, 61, 62, 63, 64A, 64B, 65, 66A, 67, 68, 69A, 69B, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82A, 82B, 83A, 84, 85, 86, 87, 88, 89, 90, 91, 92A, 92B, 92C, 92D, 93A, 93B, 93C, 94B, 95 | From April 25, or if April 25 falls on a Saturday or Sunday, the Monday immediately following April 25, and ending on May 31. | ½ hour before sunrise to 7 p.m. | As provided in Part VI of Ontario Regulation 665/98 (Hunting) | |
|-----|-------------|---|---|---------------------------------|---|--|

6. Table 7.1 of the Regulation is revoked and the following substituted:

TABLE 7.1
GAME BIRD — OPEN SEASON
HUNTING WITH A FALCONRY BIRD OR NON-INDIGENOUS FALCONRY BIRD

| Item | Column 1 | Column 2 | Column 3 | Column 4 | Column 5 | Column 6 |
|------|-----------------------------------|---|--|-------------|------------------------------------|------------------------------------|
| | Species | Area (Nos. refer to WMUs unless otherwise stated) | Open Season — Residents and Non-Residents | Time Limits | Daily Bag Limits | Possession Limits |
| 1. | Gray Partridge (Hungarian) | 13, 55-68, 69A, 70-76, 87-90 | From September 1 to March 31 in the next year following. | | 2 | 6 |
| 2. | Ruffed Grouse and Spruce Grouse | 1-50, 53-90 | From September 1 to March 31 in the next year following. | | Combined total of 3 | Combined total of 9 |
| 3. | Sharp-tailed Grouse and Ptarmigan | 1-50, 53-93 | From September 1 to March 31 in the next year following. | | 3 Sharp-tailed Grouse, 3 Ptarmigan | 9 Sharp-tailed Grouse, 9 Ptarmigan |
| 4. | Ring-necked Pheasant | 2-50, 53-95 | From September 1 to March 31 in the next year following. | | 2 of either sex | 2 of either sex |

7. Item 8 of Table 8 of the Regulation is revoked and the following substituted:

| Item | Column 1 | Column 2 | Column 3 | Column 4 |
|------|--|---|-----------------------------|------------------|
| | Area (Nos. refer to WMUs unless otherwise stated) | Open Season — Residents | Open Season — Non-Residents | Class of Firearm |
| 8. | 46, 47, 48, 49, 50, 53, 54, 55A, 55B, 56, 57, 58, 59, 60, 61, 62, 63 | From the third Monday in October to the Saturday next following, in any year. | Closed season | 7 |

8. Items 3 and 12 of Table 9 of the Regulation are revoked and the following substituted:

| Item | Column 1 | Column 2 | Column 3 | Column 4 | Column 5 |
|------|---|---|---|---|-------------------|
| | Species | Area (Nos. refer to WMUs unless otherwise stated) | Open Season — Residents and Non-Residents | Daily Bag Limits | Possession Limits |
| 3. | Cottontail, Varying Hare, European Hare | 60, 68, 69A, 70, 71, 74, 75 | From September 25 or if September 25 falls on a Sunday, the Saturday immediately prior to September 25, in any year, to the last day of March in the year next following. | 6 Cottontail 6 European Hare 6 Varying Hare | |

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| | | | | | |
|-----|--------------------------------|----------------------------------|--|---------------------|----------------------|
| 12. | Gray (Black) and Fox Squirrels | 60, 68, 69A, 70 to 92, inclusive | From September 25 or if September 25 falls on a Sunday, the Saturday immediately prior to September 25, to December 15, in any year. | Combined total of 5 | Combined total of 10 |
|-----|--------------------------------|----------------------------------|--|---------------------|----------------------|

9. Items 2 and 3 of Table 9.1 of the Regulation are revoked and the following substituted:

| Item | Column 1 | Column 2 | Column 3 | Column 4 | Column 5 |
|------|---|---|--|---|---------------------|
| | Species | Area (Nos. refer to WMUs unless otherwise stated) | Open Season — Residents and Non-Residents | Daily Bag Limits | Possession Limits |
| 2. | Cottontail, Varying Hare, European Hare | 60-95 | From September 1 to March 31 in the next year following. | 6 Cottontail, 3 Varying Hare, 3 European Hare | |
| 3. | Gray (Black) and Fox Squirrels | 36-50, 53-94 | From September 1 to March 31 in the next year following. | Combined total of 5 | Combined total of 5 |

10. This Regulation comes into force on June 1, 2006.

Made by:

DAVID JAMES RAMSAY
Minister of Natural Resources

Date made: January 6, 2006.

08/06

ONTARIO REGULATION 34/06

made under the

HIGHWAY TRAFFIC ACT

Made: February 3, 2006

Filed: February 8, 2006

Published on e-Laws: February 9, 2006

Printed in *The Ontario Gazette*: February 25, 2006

PRE-EMPTING TRAFFIC CONTROL SIGNAL DEVICES

Definitions

1. In this Regulation,

“public transit vehicle” means,

(a) a vehicle operated by or on behalf of a municipality under the authority of an operating licence issued under the *Public Vehicles Act*, or

(b) a bus operated by the Greater Toronto Transit Authority, also known as GO Transit;

“traffic signal maintenance vehicle” means a vehicle that is used by or on behalf of a road authority to maintain traffic control signal systems.

Exemptions from prohibition

2. (1) Public transit vehicles are exempt from the prohibition in subsection 79.1 (1) of the Act against pre-empting traffic control signal devices.

(2) Emergency vehicles as defined in section 144 of the Act and vehicles that meet the definition of emergency vehicle in section 144 of the Act, except that they are not being used as described in clause (a) or (c) of that definition or their sirens are not continuously sounding or they are not emitting intermittent flashes of red light, are exempt from the prohibition in subsection 79.1 (1) of the Act against pre-empting traffic control signal devices.

(3) Traffic signal maintenance vehicles are exempt from the prohibition in subsection 79.1 (1) of the Act against pre-empting traffic control signal devices, so long as the pre-empting traffic control signal device is being used only to test traffic control signal systems or to test the pre-empting traffic control signal device.

Commencement

3. This Regulation comes into force on the later of February 15, 2006 and the day this Regulation is filed.

08/06

ONTARIO REGULATION 35/06

made under the

LAND REGISTRATION REFORM ACT

Made: February 9, 2005

Filed: February 9, 2006

Published on e-Laws: February 9, 2006

Printed in *The Ontario Gazette*: February 25, 2006

Amending O. Reg. 16/99

(Automated System)

Note: Ontario Regulation 16/99 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. (1) The Table to subsection 3 (1) of Ontario Regulation 16/99 is amended by striking out the following item:

| Column 1 | Column 2 |
|----------------------|--------------------|
| Timiskaming (No. 54) | November 21, 2005. |

(2) The Table to subsection 3 (2) of the Regulation is amended by adding the following item:

| Column 1 | Column 2 |
|----------------------|-------------------|
| Timiskaming (No. 54) | February 9, 2006. |

Made by:

JIM WATSON
Minister of Consumer and Business Services

Date made: February 9, 2005.

08/06

ONTARIO REGULATION 36/06

made under the

MOTORIZED SNOW VEHICLES ACT

Made: January 12, 2006

Filed: February 9, 2006

Published on e-Laws: February 10, 2006

Printed in *The Ontario Gazette*: February 25, 2006

Amending Reg. 803 of R.R.O. 1990

(Designations)

Note: Regulation 803 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. (1) Paragraph 1 of section 2 of Regulation 803 of the Revised Regulations of Ontario, 1990 is amended by striking out “416, 417”.

(2) Section 2 of the Regulation is amended by adding the following paragraph:

6. All of the King's Highway known as No. 416 other than,
- i. the trail tunnels that run under the northbound and southbound lanes of the Highway at a point that is situate 2.3 kilometres measured northerly from the intersection of Highway No. 416 with the centre line of the King's Highway known as No. 401, and
 - ii. the area within the fenced-in portion of the median strip that connects the two tunnels.

Made by:

HARINDER JEET SINGH TAKHAR
Minister of Transportation

Date made: January 12, 2006.

08/06

NOTE: The Table of Regulations – Legislative History Overview and other tables related to regulations can be found at the e-Laws website (www.e-Laws.gov.on.ca) under Tables. Consolidated regulations may also be found at that site by clicking on Statutes and associated Regulations under Consolidated Law.

REMARQUE : On trouve le Sommaire de l'historique législatif des règlements et d'autres tables liées aux règlements sur le site Web Lois-en-ligne (www.lois-en-ligne.gouv.on.ca) en cliquant sur «Tables». On y trouve également les règlements codifiés en cliquant sur le lien Lois et règlements d'application sous la rubrique «Textes législatifs codifiés».

Publications under the Regulations Act Publications en vertu de la Loi sur les règlements

2006—03—04

ONTARIO REGULATION 37/06 made under the ENVIRONMENTAL PROTECTION ACT

Made: February 3, 2006
Filed: February 15, 2006
Published on e-Laws: February 15, 2006
Printed in *The Ontario Gazette*: March 4, 2006

Amending O. Reg. 127/01
(Airborne Contaminant Discharge Monitoring and Reporting)

Note: Ontario Regulation 127/01 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. (1) The definitions of “coating material” and “generation facility” in section 1 of Ontario Regulation 127/01 are revoked.

(2) Section 1 of the Regulation is amended by adding the following definition:

“NAICS” means the North American Industry Classification System maintained for Canada by Statistics Canada, as amended or revised from time to time;

(3) The definitions of “oxides of nitrogen”, “quarter” and “solvent” in section 1 of the Regulation are revoked.

2. Subsection 2 (1) of the Regulation is revoked and the following substituted:

Application

(1) This Regulation applies to a facility if the facility is part of a class identified by a NAICS code listed in Table 1 to the Guideline.

3. Section 3 of the Regulation is revoked and the following substituted:

Contaminants in Table 2A to the Guideline

3. (1) This section applies to a facility during a calendar year if the facility can reasonably be expected to have, at any time during the year, a name plate capacity of greater than 3 million British Thermal Units per hour.

(2) The owner and the operator of a facility to which this section applies shall ensure that air emissions of a contaminant listed in Table 2A to the Guideline are monitored and calculated in accordance with the Guideline during a calendar year if the contaminant can reasonably be expected to be discharged to the air from the facility at any time during the year.

4. Section 5 of the Regulation is revoked.

5. (1) Subparagraph 5 iv of subsection 6 (3) of the Regulation is revoked.

(2) Paragraph 6 of subsection 6 (3) of the Regulation is revoked.

6. Sections 7 and 8 of the Regulation are revoked.

7. Section 10 of the Regulation is amended by striking out “under section 6, 7 or 8” and substituting “under section 6”.

8. Section 12 of the Regulation is amended by striking out “under section 6, 7 or 8” and substituting “under section 6”.

9. Sections 14 and 15 of the Regulation are revoked and the following substituted:

Transition: reports under s. 6 for 2005

14. A report under section 6 on the air emissions of a contaminant during 2005 may be prepared and submitted to the Director in accordance with this Regulation,

- (a) as this Regulation read immediately before this section came into force; or
- (b) as this Regulation read immediately after this section came into force.

09/06

ONTARIO REGULATION 38/06

made under the

ENERGY EFFICIENCY ACT

Made: February 3, 2006
Filed: February 15, 2006
Published on e-Laws: February 16, 2006
Printed in *The Ontario Gazette*: March 4, 2006

Amending O. Reg. 82/95
(General)

Note: Ontario Regulation 82/95 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. (1) Item 17 of the Schedule to Ontario Regulation 82/95, as remade by section 2 of Ontario Regulation 384/05, is revoked.

(2) The Schedule to the Regulation is amended by adding the following item:

| | | | |
|---|---|---|-------------------|
| 17. Air-conditioners and heat pumps that are single package or split-system, single or three-phase, that do not exceed 19 kilowatts in cooling or heating capacity. | CSA C656-05, Performance Standard for Split-System and Single Package Central Air-Conditioners and Heat Pumps | Clause 7.2.1 and Column 2 of Table 3 of CSA C656-05 | February 15, 2006 |
|---|---|---|-------------------|

2. (1) Item 56 of the Schedule to the Regulation is revoked.

(2) Item 56 of the Schedule to the Regulation, as remade by section 2 of Ontario Regulation 384/05, is revoked.

(3) The Schedule to the Regulation is amended by adding the following item:

| | | | |
|---|--|-------------------------------|-----------------|
| 56. Thermostats used for line-voltage (120-240V) switching of a controlled resistive heating load including wall-mounted, built-in (up to 1,500 W) and two component thermostats. | CAN/CSA C828-99, Performance Requirements for Thermostats Used with Individual Room Electric Space Heating Devices | Clause 3.2 of CAN/CSA C828-99 | January 1, 2007 |
|---|--|-------------------------------|-----------------|

3. (1) Subject to subsection (2), this Regulation comes into force on the day it is filed.

(2) Subsection 2 (3) comes into force on January 1, 2007.

09/06

ONTARIO REGULATION 39/06

made under the

ONTARIO DRUG BENEFIT ACT

Made: February 15, 2006

Filed: February 15, 2006

Published on e-Laws: February 16, 2006

Printed in *The Ontario Gazette*: March 4, 2006

Amending O. Reg. 201/96
(General)

Note: Ontario Regulation 201/96 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Section 7.2 of Ontario Regulation 201/96 is amended by adding the following paragraph:

5. Amendments dated February 28, 2006.

2. This Regulation comes into force on the later of,

(a) February 28, 2006; and

(b) the day that is 10 days after the day it is filed, where the following are not included in calculating the 10 days:

(i) the day of filing, and

(ii) Saturdays and Sundays and other holidays within the meaning of the *Interpretation Act*.

Made by:

GEORGE SMITHERMAN
Minister of Health and Long-Term Care

Date made: February 15, 2006.

09/06

ONTARIO REGULATION 40/06

made under the

DRUG INTERCHANGEABILITY AND DISPENSING FEE ACT

Made: February 15, 2006

Filed: February 15, 2006

Published on e-Laws: February 16, 2006

Printed in *The Ontario Gazette*: March 4, 2006

Amending Reg. 935 of R.R.O. 1990
(General)

Note: Regulation 935 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Section 3 of Regulation 935 of the Revised Regulations of Ontario, 1990 is amended by adding the following paragraph:

5. Amendments dated February 28, 2006.

2. This Regulation comes into force on the later of,

(a) February 28, 2006; and

(b) the day that is 10 days after the day it is filed, where the following are not included in calculating the 10 days:

(i) the day of filing, and

(ii) Saturdays and Sundays and other holidays within the meaning of the *Interpretation Act*.

Made by:

GEORGE SMITHERMAN
Minister of Health and Long-Term Care

Date made: February 15, 2006.

09/06

ONTARIO REGULATION 41/06

made under the

ENVIRONMENTAL BILL OF RIGHTS, 1993

Made: February 3, 2006

Filed: February 16, 2006

Published on e-Laws: February 17, 2006

Printed in *The Ontario Gazette*: March 4, 2006

Amending O. Reg. 73/94
(General)

Note: Ontario Regulation 73/94 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Subsection 3 (1) of Ontario Regulation 73/94 is amended by adding the following paragraph:

13.1 *Nutrient Management Act, 2002.*

09/06

ONTARIO REGULATION 42/06

made under the

CONSERVATION AUTHORITIES ACT

Made: September 15, 2005

Filed: February 17, 2006

Published on e-Laws: February 20, 2006

Printed in *The Ontario Gazette*: March 4, 2006

**CENTRAL LAKE ONTARIO CONSERVATION AUTHORITY: REGULATION OF
DEVELOPMENT, INTERFERENCE WITH WETLANDS AND ALTERATIONS TO SHORELINES
AND WATERCOURSES**

Definition

1. In this Regulation,

“Authority” means the Central Lake Ontario Conservation Authority.

Development prohibited

2. (1) Subject to section 3, no person shall undertake development, or permit another person to undertake development in or on the areas within the jurisdiction of the Authority that are,

(a) adjacent or close to the shoreline of the Great Lakes-St. Lawrence River System or to inland lakes that may be affected by flooding, erosion or dynamic beaches, including the area from the furthest offshore extent of the Authority’s boundary to the furthest landward extent of the aggregate of the following distances:

(i) the 100 Year flood level, plus the appropriate allowance for wave uprush shown in the column headed “100 Year Flood Limit” found in Table 7.1 of the document entitled “Lake Ontario Shoreline Management Plan”, December 1990, which is available at or through the Authority at its head office located at 100 Whiting Avenue, Oshawa, Ontario, L1H 3T3,

(ii) the predicted long term stable slope projected from the existing stable toe of the slope or from the predicted location of the toe of the slope as that location may have shifted as a result of shoreline erosion over a 100-year period,

(iii) where a dynamic beach is associated with the waterfront lands, the appropriate allowance inland to accommodate dynamic beach movement shown in the right-hand column of Table 7.1 of the document entitled “Lake Ontario Shoreline Management Plan”, December 1990, which is available at or through the Authority at the address given in subclause (i), and

(iv) 15 metres inland;

(b) river or stream valleys that have depressional features associated with a river or stream, whether or not they contain a watercourse, the limits of which are determined in accordance with the following rules:

(i) where the river or stream valley is apparent and has stable slopes, the valley extends from the stable top of bank, plus 15 metres, to a similar point on the opposite side,

(ii) where the river or stream valley is apparent and has unstable slopes, the valley extends from the predicted long term stable slope projected from the existing stable slope or, if the toe of the slope is unstable, from the predicted location of the toe of the slope as a result of stream erosion over a projected 100-year period, plus 15 metres, to a similar point on the opposite side,

(iii) where the river or stream valley is not apparent, the valley extends the greater of,

(A) the distance from a point outside the edge of the maximum extent of the flood plain under the applicable flood event standard, plus 15 metres, to a similar point on the opposite side, and

(B) the distance from the predicted meander belt of a watercourse, expanded as required to convey the flood flows under the applicable flood event standard, plus 15 metres, to a similar point on the opposite side;

(c) hazardous lands;

(d) wetlands; or

(e) other areas where development could interfere with the hydrologic function of a wetland, including areas within 120 metres of all provincially significant wetlands and wetlands greater than 2 hectares in size, and areas within 30 metres of wetlands less than 2 hectares in size, but not including those where development has been approved pursuant to an application made under the *Planning Act* or other public planning or regulatory process.

(2) The areas described in subsection (1) are the areas referred to in section 12 except that, in case of a conflict, the description of the areas provided in subsection (1) prevails over the descriptions referred to in that section.

Permission to develop

3. (1) The Authority may grant permission for development in or on the areas described in subsection 2 (1) if, in its opinion, the control of flooding, erosion, dynamic beaches, pollution or the conservation of land will not be affected by the development.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

4. A signed application for permission to undertake development shall be filed with the Authority and shall contain the following information:

1. Four copies of a plan of the area showing the type and location of the development.
2. The proposed use of the buildings and structures following completion of the development.
3. The start and completion dates of the development.
4. The elevations of existing buildings, if any, and grades and the proposed elevations of buildings and grades after development.
5. Drainage details before and after development.
6. A complete description of the type of fill proposed to be placed or dumped.

Alterations prohibited

5. Subject to section 6, no person shall straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse or change or interfere in any way with a wetland.

Permission to alter

6. (1) The Authority may grant a person permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or to change or interfere with a wetland.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

7. A signed application for permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or change or interfere with a wetland shall be filed with the Authority and shall contain the following information:

1. Four copies of a plan of the area showing plan view and cross-section details of the proposed alteration.
2. A description of the methods to be used in carrying out the alteration.
3. The start and completion dates of the alteration.
4. A statement of the purpose of the alteration.

Cancellation of permission

8. (1) The Authority may cancel a permission if it is of the opinion that the conditions of the permission have not been met.

(2) Before cancelling a permission, the Authority shall give a notice of intent to cancel to the holder of the permission indicating that the permission will be cancelled unless the holder shows cause at a hearing why the permission should not be cancelled.

(3) Following the giving of the notice, the Authority shall give the holder at least five days notice of the date of the hearing.

Validity of permissions and extensions

9. (1) A permission of the Authority is valid for a maximum period of 24 months after it is issued, unless it is specified to expire at an earlier date.

(2) A permission shall not be extended.

Appointment of officers

10. The Authority may appoint officers to enforce this Regulation.

Flood event standards

11. (1) The applicable flood event standards used to determine the maximum susceptibility to flooding of lands or areas within the watersheds in the area of jurisdiction of the Authority are the Hurricane Hazel Flood Event Standard, the 100 Year Flood Event Standard and the 100 Year flood level plus wave uprush, described in the Schedule.

(2) The Hurricane Hazel Flood Event Standard applies to all watersheds within the area of jurisdiction of the Authority except for,

- (a) Pringle Creek and Darlington Creek where the 100 Year Flood Event Standard applies; and
- (b) Lake Ontario in the Great Lakes-St. Lawrence River System where the 100 Year flood level plus wave uprush applies.

Areas included in the Regulation Limit

12. Hazardous lands, wetlands, shorelines and areas susceptible to flooding, and associated allowances, within the watersheds in the area of jurisdiction of the Authority are delineated by the Regulation Limit shown on maps 1 to 31 dated May 2005 and filed at the head office of the Authority at 100 Whiting Avenue, Oshawa, Ontario under the map title "Ontario Regulation 97/04: Regulation for Development, Interference with Wetlands and Alterations to Shorelines and Watercourses".

SCHEDULE

1. The Hurricane Hazel Flood Event Standard means a storm that produces over a 48-hour period,
 - (a) in a drainage area of 25 square kilometres or less, rainfall that has the distribution set out in Table 1; or
 - (b) in a drainage area of more than 25 square kilometres, rainfall such that the number of millimetres of rain referred to in each case in Table 1 shall be modified by the percentage amount shown in Column 2 of Table 2 opposite the size of the drainage area set out opposite thereto in Column 1 of Table 2.

TABLE 1

| |
|--|
| 73 millimetres of rain in the first 36 hours |
| 6 millimetres of rain in the 37th hour |
| 4 millimetres of rain in the 38th hour |
| 6 millimetres of rain in the 39th hour |
| 13 millimetres of rain in the 40th hour |
| 17 millimetres of rain in the 41st hour |
| 13 millimetres of rain in the 42nd hour |
| 23 millimetres of rain in the 43rd hour |
| 13 millimetres of rain in the 44th hour |
| 13 millimetres of rain in the 45th hour |
| 53 millimetres of rain in the 46th hour |
| 38 millimetres of rain in the 47th hour |
| 13 millimetres of rain in the 48th hour |

TABLE 2

| Column 1 | Column 2 |
|-----------------------------------|------------|
| Drainage Area (square kilometres) | Percentage |
| 26 to 45 both inclusive | 99.2 |
| 46 to 65 both inclusive | 98.2 |
| 66 to 90 both inclusive | 97.1 |
| 91 to 115 both inclusive | 96.3 |
| 116 to 140 both inclusive | 95.4 |
| 141 to 165 both inclusive | 94.8 |
| 166 to 195 both inclusive | 94.2 |
| 196 to 220 both inclusive | 93.5 |
| 221 to 245 both inclusive | 92.7 |
| 246 to 270 both inclusive | 92.0 |
| 271 to 450 both inclusive | 89.4 |
| 451 to 575 both inclusive | 86.7 |
| 576 to 700 both inclusive | 84.0 |
| 701 to 850 both inclusive | 82.4 |
| 851 to 1000 both inclusive | 80.8 |
| 1001 to 1200 both inclusive | 79.3 |
| 1201 to 1500 both inclusive | 76.6 |
| 1501 to 1700 both inclusive | 74.4 |
| 1701 to 2000 both inclusive | 73.3 |

| Column 1 | Column 2 |
|-----------------------------------|------------|
| Drainage Area (square kilometres) | Percentage |
| 2001 to 2200 both inclusive | 71.7 |
| 2201 to 2500 both inclusive | 70.2 |
| 2501 to 2700 both inclusive | 69.0 |
| 2701 to 4500 both inclusive | 64.4 |
| 4501 to 6000 both inclusive | 61.4 |
| 6001 to 7000 both inclusive | 58.9 |
| 7001 to 8000 both inclusive | 57.4 |

2. The 100 Year Flood Event Standard means rainfall or snowmelt, or a combination of rainfall and snowmelt, that has a probability of occurrence of one per cent during any given year.

3. The 100 Year flood level means the peak instantaneous still water level plus an allowance for wave uprush and other water-related hazards that has a probability of occurrence of one per cent during any given year.

Made by:

CENTRAL LAKE ONTARIO CONSERVATION AUTHORITY:

J. R. POWELL
Chief Administrative Officer

DAN WHITE
Director of Corporate Services

Date made: September 15, 2005.

I certify that I have approved this Regulation.

DAVID JAMES RAMSAY
Minister of Natural Resources

Date approved: February 6, 2006.

09/06

CORRECTION

Ontario Regulation 260/05 under the *Courts of Justice Act* published in the June 18, 2005 issue of *The Ontario Gazette*.

Clause 68.05 (1) (b) of Regulation 194 of the Revised Regulations of Ontario, 1990, as set out in section 15 of Ontario Regulation 260/05, should have read as follows:

- (b) setting out, with respect to every party to the application and any other person entitled by statute or by an order under rule 13.03 (intervention) to be heard on the application,
 - (i) the name, address and telephone number of the party's or other person's lawyer, or
 - (ii) the name, address for service and telephone number of the party or other person, if acting in person.

Règlement de l'Ontario 260/05 pris en application de la *Loi sur les tribunaux judiciaires* et publié dans l'édition du 18 juin 2005 de la *Gazette de l'Ontario*.

L'alinéa 68.05 (1) b) du Règlement 194 des Règlements refondus de l'Ontario de 1990, tel qu'il est énoncé à l'article 15 du Règlement de l'Ontario 260/05, aurait dû être libellé comme suit :

- b) d'autre part, énonçant, à l'égard de chaque partie à la requête et de toute autre personne à laquelle une loi ou une ordonnance rendue en application de la règle 13.03 (intervention) confère le droit d'être entendue dans la requête :
 - (i) soit les nom, adresse et numéro de téléphone de l'avocat de la partie ou de celui de l'autre personne,
 - (ii) soit les nom, domicile élu et numéro de téléphone de la partie ou de l'autre personne, si elle agit en son propre nom.

NOTE: The Table of Regulations – Legislative History Overview and other tables related to regulations can be found at the e-Laws website (www.e-Laws.gov.on.ca) under Tables. Consolidated regulations may also be found at that site by clicking on Statutes and associated Regulations under Consolidated Law.

REMARQUE : On trouve le Sommaire de l'historique législatif des règlements et d'autres tables liées aux règlements sur le site Web Lois-en-ligne (www.lois-en-ligne.gouv.on.ca) en cliquant sur «Tables». On y trouve également les règlements codifiés en cliquant sur le lien Lois et règlements d'application sous la rubrique «Textes législatifs codifiés».

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2006—03—11

ONTARIO REGULATION 43/06 made under the LAND REGISTRATION REFORM ACT

Made: February 9, 2005
Filed: February 23, 2006
Published on e-Laws: February 23, 2006
Printed in *The Ontario Gazette*: March 11, 2006

Amending O. Reg. 16/99
(Automated System)

Note: Ontario Regulation 16/99 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. (1) The Table to subsection 3 (1) of Ontario Regulation 16/99 is amended by striking out the following item:

| Column 1 | Column 2 |
|-----------------|------------------|
| Kenora (No. 23) | November 7, 2005 |

(2) The Table to subsection 3 (2) of the Regulation is amended by adding the following item:

| Column 1 | Column 2 |
|-----------------|-------------------|
| Kenora (No. 23) | February 23, 2006 |

Made by:

JIM WATSON
Minister of Consumer and Business Services

Date made: February 9, 2005.

10/06

ONTARIO REGULATION 44/06

made under the

MUNICIPAL ACT, 2001

Made: February 22, 2006

Filed: February 23, 2006

Published on e-Laws: February 24, 2006

Printed in *The Ontario Gazette*: March 11, 2006

Amending O. Reg. 73/03

(Tax Matters — Special Tax Rates and Limits, 2003 and Later Years)

Note: Ontario Regulation 73/03 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Subsection 3 (3.1) of Ontario Regulation 73/03 is amended by striking out “for the 2004 or 2005 taxation year” in the portion before the formula and substituting “for the 2004, 2005 or 2006 taxation year”.

2. (1) Subsection 8 (4.1) of the Regulation is amended by striking out “For the 2004 or 2005 taxation year” at the beginning and substituting “For the 2004, 2005 or 2006 taxation year”.

(2) Paragraph 2 of subsection 8 (4.1) of the Regulation is amended by striking out “for 2004 or 2005” and substituting “for 2004, 2005 or 2006”.

Made by:

DWIGHT DUNCAN
Minister of Finance

Date made: February 22, 2006.

10/06

ONTARIO REGULATION 45/06

made under the

FARM PRODUCTS MARKETING ACT

Made: February 9, 2006

Approved: February 22, 2006

Filed: February 24, 2006

Published on e-Laws: February 27, 2006

Printed in *The Ontario Gazette*: March 11, 2006

Amending Reg. 409 of R.R.O. 1990

(Eggs — Plan)

Note: Regulation 409 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Section 4 of the Schedule to Regulation 409 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

4. The local board known as “Ontario Egg Producers” is continued under the name “Egg Farmers of Ontario”.

made by:

ONTARIO FARM PRODUCTS MARKETING COMMISSION:

DAVE HOPE
Chair

GLORIA MARCO BORYS
Secretary

Date made: February 9, 2006.

I certify that I have approved this Regulation.

LEONA DOMBROWSKY
Minister of Agriculture, Food and Rural Affairs

Date approved: February 22, 2006.

10/06

ONTARIO REGULATION 46/06
made under the
FARM PRODUCTS MARKETING ACT

Made: February 9, 2006
Filed: February 24, 2006
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Printed in *The Ontario Gazette*: March 11, 2006

Amending Reg. 408 of R.R.O. 1990
(Eggs — Marketing Limitations)

Note: Regulation 408 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Section 1 of Regulation 408 of the Revised Regulations of Ontario, 1990 is amended by striking out “Ontario Egg Producers’ Marketing Plan” and substituting “Ontario Egg Producers’ Plan”.

RÈGLEMENT DE L’ONTARIO 46/06
pris en application de la
LOI SUR LA COMMERCIALISATION DES PRODUITS AGRICOLES

pris le 9 février 2006
déposé le 24 février 2006
publié sur le site Lois-en-ligne le 27 février 2006
imprimé dans la *Gazette de l’Ontario* le 11 mars 2006

modifiant le Règl. 408 des R.R.O. de 1990
(Oeufs — restrictions en matière de commercialisation)

Remarque : Le Règlement 408 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l’historique législatif des règlements qui se trouve sur le site www.lois-en-ligne.gouv.on.ca.

1. L’article 1 du Règlement 408 des Règlements refondus de l’Ontario de 1990 est modifié par substitution de «plan appelé «Ontario Egg Producers’ Plan»» à «plan de commercialisation des oeufs de l’Ontario».

Made by:
Pris par :

ONTARIO FARM PRODUCTS MARKETING COMMISSION:
COMMISSION DE COMMERCIALISATION DES PRODUITS AGRICOLES DE L'ONTARIO :

DAVE HOPE
Chair
Président

GLORIA MARCO BORYS
Secretary
Secrétaire

Date made: February 9, 2006.
Pris le : 9 février 2006.

10/06

ONTARIO REGULATION 47/06
made under the
FARM PRODUCTS MARKETING ACT

Made: February 9, 2006
Filed: February 24, 2006
Published on e-Laws: February 27, 2006
Printed in *The Ontario Gazette*: March 11, 2006

Amending Reg. 407 of R.R.O. 1990
(Eggs — Marketing)

Note: Regulation 407 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. The definition of “local board” in section 1 of Regulation 407 of the Revised Regulations of Ontario, 1990 is amended by striking out “Ontario Egg Producers” and substituting “Egg Farmers of Ontario”.

RÈGLEMENT DE L'ONTARIO 47/06
pris en application de la
LOI SUR LA COMMERCIALISATION DES PRODUITS AGRICOLES

pris le 9 février 2006
déposé le 24 février 2006
publié sur le site Lois-en-ligne le 27 février 2006
imprimé dans la *Gazette de l'Ontario* le 11 mars 2006

modifiant le Règl. 407 des R.R.O. de 1990
(Oeufs — commercialisation)

Remarque : Le Règlement 407 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des règlements qui se trouve sur le site www.lois-en-ligne.gouv.on.ca.

1. La définition de «commission locale» à l'article 1 du Règlement 407 des Règlements refondus de l'Ontario de 1990 est modifiée par substitution de «Egg Farmers of Ontario» à «Ontario Egg Producers».

made by.
Pris par :

ONTARIO FARM PRODUCTS MARKETING COMMISSION:
COMMISSION DE COMMERCIALISATION DES PRODUITS AGRICOLES DE L'ONTARIO :

DAVE HOPE
Chair
Président

GLORIA MARCO BORYS
Secretary
Secrétaire

Date made: February 9, 2006.
Pris le : 9 février 2006.

10/06

NOTE: The Table of Regulations – Legislative History Overview and other tables related to regulations can be found at the e-Laws website (www.e-Laws.gov.on.ca) under Tables. Consolidated regulations may also be found at that site by clicking on Statutes and associated Regulations under Consolidated Law.

REMARQUE : On trouve le Sommaire de l'historique législatif des règlements et d'autres tables liées aux règlements sur le site Web Lois-en-ligne (www.lois-en-ligne.gouv.on.ca) en cliquant sur «Tables». On y trouve également les règlements codifiés en cliquant sur le lien Lois et règlements d'application sous la rubrique «Textes législatifs codifiés».



Publications under the Regulations Act Publications en vertu de la Loi sur les règlements

2006—03—18

ONTARIO REGULATION 48/06

made under the

SMOKE-FREE ONTARIO ACT

Made: March 1, 2006

Filed: March 1, 2006

Published on e-Laws: March 3, 2006

Printed in *The Ontario Gazette*: March 18, 2006

GENERAL

Interpretation

1. (1) In this Regulation,

“specialty tobacco products” includes tobacco products and tobacco product accessories, but does not include cigarettes within the meaning of the *Tobacco Tax Act* and the regulations under that Act; (“produits du tabac de spécialité”)

“tobacco product accessories” means products that may be used in the consumption of a tobacco product, including a humidor, pipe, cigarette holder, cigar clip, lighter and matches. (“accessoires de produits du tabac”)

(2) For the purposes of sections 13 and 14,

“roof” means a physical barrier of any size, whether temporary or permanent, that covers an area or place or any part of an area or place, and that is capable of excluding rain or impeding airflow, or both.

(3) For the purposes of section 14,

“wall” means a physical barrier of any size, capable of excluding rain or capable of impeding airflow, or both, including a moveable or temporary barrier.

Signs

2. All signs required to be posted under the Act and regulations shall be posted in a conspicuous manner and shall not be obstructed from view.

Identification of persons to be at least 19

3. (1) For the purposes of subsection 3 (3) of the Act, an item of identification is prescribed if it includes a photograph of the person, states his or her date of birth, and reasonably appears to have been issued by a government.

(2) Without limiting the generality of subsection (1), the item of identification may be any of the types prescribed in subsection (3).

(3) The following types of identification are prescribed for the purpose of subsection 3 (3) of the Act:

1. A driver’s licence issued by the Province of Ontario with a photograph of the person to whom the licence is issued.
2. A Canadian passport.
3. A Canadian citizenship card with a photograph of the person to whom the card is issued.
4. A Canadian Armed Forces identification card.
5. A photo card issued by the Liquor Control Board of Ontario.

Display exemptions for tobacconists

4. (1) For the purposes of section 3.1 of the Act, a tobacconist is a retail establishment that is registered with the Ministry of Health Promotion as a tobacconist and where,

- (a) at least 50 per cent of the establishment's total sales for the previous 12 months is from specialty tobacco products; or
 - (b) if the retail establishment has been in operation for less than 12 months, at least 50 per cent of the establishment's total inventory purchases for the time it has been in existence consists of specialty tobacco products or at least 50 per cent of the total sales for the time it has been in existence consists of specialty tobacco products.
- (2) A retailer who sells tobacco products at a tobacconist is exempt from subsections 3.1 (1) and (2) of the Act only with respect to the display of specialty tobacco products at that tobacconist, subject to the following conditions:
- 1. The retailer shall not permit a person who is less than 19 years old to enter the tobacconist unless the person is accompanied by a person who is at least 19 years old. For the purposes of this paragraph, a person who appears to be less than 25 years old is deemed to be less than 19 years old unless the proprietor of the tobacconist has required the person to provide identification and is satisfied that the person is at least 19 years old.
 - 2. Customers of the tobacconist can enter the tobacconist only from the outdoors or from the areas of an enclosed shopping mall that are,
 - i. open to the public,
 - ii. common to most of the retail establishments or other businesses within the mall, and
 - iii. not part of a retail establishment or other business within the mall.
 - 3. The tobacconist must not be a thoroughfare.

Display exemptions for duty free retailers

5. A retailer who sells tobacco products at a duty free shop as defined in subsection 2 (1) of the *Customs Act* (Canada) is exempt from subsections 3.1 (1) and (2) of the Act in respect of sales of tobacco products at the duty free shop, subject to the following conditions:

- 1. Tobacco products and tobacco product accessories are not visible from outside the duty free shop.
- 2. Customers of the duty free shop can enter the duty free shop only from the outdoors or from the areas of an enclosed shopping mall that are,
 - i. open to the public,
 - ii. common to most of the retail establishments or other businesses within the mall, and
 - iii. not part of a retail establishment or other business within the mall.
- 3. The duty free shop must not be a thoroughfare.

Display exemptions for manufacturers

6. (1) For the purposes of this section, a manufacturer of tobacco products is a person who,
- (a) manufactures, fabricates or produces tobacco products for distribution, sale or storage in Ontario; and
 - (b) holds a manufacturer's registration certificate under section 7 of the *Tobacco Tax Act*.
- (2) For the purposes of this section, a manufacturer includes any entity that is associated with a manufacturer, including an entity that controls or is controlled by the manufacturer or that is controlled by the same entity that controls the manufacturer.
- (3) A manufacturer of tobacco products is exempt from section 3.1 of the Act in respect of a place where tobacco products are manufactured, fabricated or produced by the manufacturer, subject to the following conditions:
- 1. The place is registered with the Ministry of Health Promotion for the purposes of the exemption.
 - 2. The manufacturer shall not permit a person who is less than 19 years old to enter the place unless the person is accompanied by a person who is at least 19 years old. For the purposes of this paragraph, a person who appears to be less than 25 years old is deemed to be less than 19 years old unless the manufacturer has required the person to provide identification and is satisfied that the person is at least 19 years old.
 - 3. Tobacco products and tobacco product accessories are not visible from outside the place.
 - 4. Customers can enter the place only from the outdoors or from the areas of an enclosed shopping mall that are,
 - i. open to the public,
 - ii. common to most of the retail establishments or other businesses within the mall, and
 - iii. not part of a retail establishment or other business within the mall.
 - 5. The place must not be a thoroughfare.

Promotion of tobacco products

7. For the purposes of subsection 3.1 (3) of the Act, a sign in any place where tobacco products are sold or offered for sale that refers to tobacco products or tobacco product accessories, or both, is “promotional material” if the sign is not required to be displayed in the place by the Act or this Regulation and one or more of the following applies:

1. The text of the sign is visible from outside the place where tobacco products are sold or offered for sale.
2. The size of the sign exceeds 968 square centimetres.
3. The background of the sign is a colour other than white, and the text of the sign is a colour other than black.
4. The sign includes text or a graphic that identifies or reflects a brand of tobacco or tobacco-related product, or of any element of such a brand.
5. The sign is one of more than three signs in the place that refer to tobacco products or tobacco product accessories or both and that are not required to be displayed in the place by the Act or this Regulation.

Prohibition of sale in designated places

8. For the purposes of paragraph 10 of subsection 4 (2) of the Act, premises licensed under the *Independent Health Facilities Act* are places that belong to a prescribed class.

Packaging requirements

9. For the purposes of subsection 5 (1) of the Act, tobacco must be packaged in accordance with the requirements under the *Tobacco Act* (Canada) and the regulations made under that Act and the package must bear or contain the information required under that Act and those regulations.

Signs — age restriction and health warning

10. (1) For the purposes of section 6 of the Act, a person who sells or offers to sell tobacco at retail shall post the sign described in subsection (2) at any location where tobacco is sold or supplied in a place where the sign is clearly visible to the person who sells or supplies the tobacco and to the person to whom the tobacco is sold or supplied.

(2) The sign referred to in subsection (1) shall,

- (a) be 18 centimetres in height and 35 centimetres in width;
- (b) have a red background with black text and white text;
- (c) bear the words “Tobacco products are addictive and kill 1 out of every 2 long-term smokers. It is illegal to sell or supply them to anyone under 19 years of age.” in English, or “Les produits du tabac créent une dépendance et tuent 1 fumeur sur 2 à long terme. Il est illégal de vendre ou de fournir des produits du tabac à des personnes de moins de 19 ans.” in French;
- (d) have the graphic and the Trillium and Smoke-Free Ontario logos shown on the representation of the sign accessible through the website of the Ministry of Health Promotion at http://www.mhp.gov.on.ca/english/health/smoke_free/sign_9-2 or http://www.mhp.gov.on.ca/french/health/smoke_free/affiche_9-2; and
- (e) be in the format shown on the representation of the sign accessible through that website.

Signs — identification

11. (1) For the purposes of section 6 of the Act, a person who sells or offers to sell tobacco at retail shall post the sign described in subsection (2) at any location where tobacco is sold or supplied in a place where the sign is clearly visible to the person who sells or supplies the tobacco and to the person to whom the tobacco is sold or supplied.

(2) The sign referred to in subsection (1) shall,

- (a) be 9 centimetres in height and 18 centimetres in width;
- (b) have a red background with black text and white text;
- (c) bear the words “Government I.D. with a photo and birth date must be shown when requested. You must be 19 or older to purchase tobacco products.” in English or “Une pièce d’identité avec photo et date de naissance fournie par le gouvernement doit être présentée sur demande. Vous devez avoir au moins 19 ans pour acheter des produits du tabac.” in French;
- (d) have the graphic and the Trillium and Smoke-Free Ontario logos shown on the representation of the sign accessible through the website of the Ministry of Health Promotion at http://www.mhp.gov.on.ca/english/health/smoke_free/sign_10-2 or http://www.mhp.gov.on.ca/french/health/smoke_free/affiche_10-2; and
- (e) be in the format shown on the representation of the sign accessible through that website.

Areas where smoking prohibited

12. For the purposes of paragraph 7 of subsection 9 (2) of the Act, an area within a nine metre radius surrounding any entrance or exit of any of the following places is prescribed:

1. A hospital within the meaning of the *Public Hospitals Act*.
2. A private hospital within the meaning of the *Private Hospitals Act*.
3. A psychiatric facility within the meaning of the *Mental Health Act*.
4. A nursing home as defined in the *Nursing Homes Act*.
5. An approved charitable home for the aged under the *Charitable Institutions Act*.
6. A home as defined in the *Homes for the Aged and Rest Homes Act*.
7. An independent health facility licensed under the *Independent Health Facilities Act*.

Bar and restaurant patios

13. For the purposes of paragraph 7 of subsection 9 (2) of the Act, a place or area is prescribed if it meets all of the following conditions:

1. The public is ordinarily invited or permitted access to the place or area, either expressly or by implication, whether or not a fee is charged for entry, or the place or area is worked in or frequented by employees during the course of their employment whether or not they are acting in the course of their employment at the time.
2. The place or area has a roof.
3. Food or drink is served or sold or offered for consumption in the place or area, or the place or area is part of or operated in conjunction with a place or area where food or drink is served or sold or offered.
4. The place or area is not primarily a private dwelling.

Smoking shelters

14. For the purposes of paragraph 7 of subsection 9 (2) of the Act, a place or area is prescribed if it meets all of the following conditions:

1. The public is ordinarily invited or permitted access to the place or area, either expressly or by implication, whether or not a fee is charged for entry, or the place or area is worked in or frequented by employees during the course of their employment whether or not they are acting in the course of their employment at the time.
2. The place or area has a roof and more than two walls.
3. The place or area is not primarily a private dwelling.

Employer obligations

15. (1) For the purposes of clause 9 (3) (c) and section 10 of the Act, an employer shall place the sign described in subsection (2) at each entrance and exit of the enclosed workplace in appropriate locations and in sufficient numbers to ensure that employees and the public are aware that no smoking is permitted in the enclosed workplace.

(2) The sign referred to in subsection (1) shall,

- (a) be 10 centimetres in height and 10 centimetres in width;
- (b) have a white background and have a graphic of the international no smoking symbol;
- (c) have the Trillium and Smoke-Free Ontario logos shown on the representation of the sign accessible through the website of the Ministry of Health Promotion at http://www.mhp.gov.on.ca/english/health/smoke_free/sign_intl or http://www.mhp.gov.on.ca/french/health/smoke_free/affiche_intl; and
- (d) be in the format shown on the representation of the sign accessible through that website.

(3) For the purposes of clause 9 (3) (f) of the Act, an employer must ensure that any room that is designated under paragraph 2 of subsection 9 (7), (8) or (9) of the Act or paragraph 3 of subsection 9 (10) of the Act meets the requirements for the room set out in the Act and section 18 of this Regulation.

Procedure for employees

16. For the purposes of subsection 9 (5) of the Act, subsections 50 (2) to (8) of the *Occupational Health and Safety Act* apply with necessary modifications when an employee complains that subsection 9 (4) of the Act has been contravened.

Proprietor obligations

17. (1) For the purposes of clause 9 (6) (c) and section 10 of the Act, a proprietor shall place the sign described in subsection (2) at each entrance and exit of the enclosed public place, place or area in appropriate locations and in sufficient numbers to ensure that the public are aware that no smoking is permitted in the enclosed public place, place or area.

(2) The sign referred to in subsection (1) shall,

(a) be 10 centimetres in height and 10 centimetres in width;

(b) have a white background and have a graphic of the international no smoking symbol;

(c) have the Trillium and Smoke-Free Ontario logos shown on the representation of the sign accessible through the website of the Ministry of Health Promotion at http://www.mhp.gov.on.ca/english/health/smoke_free/sign_intl or http://www.mhp.gov.on.ca/french/health/smoke_free/affiche_intl; and

(d) be in the format shown on the representation of the sign accessible through that website.

(3) For the purposes of clause 9 (6) (f) of the Act, the proprietor must ensure that any room that is designated under paragraph 2 of subsection 9 (7), (8) or (9) of the Act or paragraph 3 of subsection 9 (10) of the Act meet the requirements for the room set out in the Act and section 18 of this Regulation.

Controlled smoking areas

18. (1) For the purposes of subsections 9 (7), (8) and (9) of the Act, the following are the requirements for a controlled smoking area if a proprietor or employer chooses to operate a controlled smoking area:

1. The controlled smoking area must be enclosed and separated from the rest of the building and must not be a thoroughfare.

2. The controlled smoking area must be set aside specifically for the purpose of smoking.

3. The controlled smoking area must be registered with the Minister by the proprietor of the controlled smoking area and by the employer of the workers who maintain the controlled smoking area.

4. The proprietor of the controlled smoking area and the employer of the workers who maintain the controlled smoking area shall ensure that maintenance checks of the controlled smoking area are conducted in accordance with Schedule 1.

5. The controlled smoking area shall comply with all the applicable codes and standards, and, where the requirements of the applicable codes and standards conflict with the requirements in this Regulation, the requirements of the applicable codes and standards shall prevail. The existing fire separations and other life safety systems shall be maintained or upgraded as required based on the new usage of the space.

6. The controlled smoking area must be cleaned daily. There shall be no smoking in the controlled smoking area for two hours before custodial staff enter the controlled smoking area and while custodial staff are cleaning the controlled smoking area. A sign shall be posted outside the controlled smoking area indicating the hours during which smoking is not permitted in the controlled smoking area.

7. The controlled smoking area must be equipped with a separate ventilation system that supplies a minimum ventilation rate of 30 litres per second per person for the maximum permitted occupancy of the controlled smoking area and that exhausts to the exterior of the building.

8. The controlled smoking area must meet the requirements set out in Schedule 2.

(2) If a controlled smoking area in the facility is set aside for the purpose of smoking and for the purpose of carrying on another activity, there must be another area in the facility that is of a size equal to or greater than the area of the controlled smoking area and in which smoking is not permitted and in which the other activity may be carried on.

(3) If a controlled smoking area in the facility is set aside for the purpose of smoking, the proprietor of the facility and the employer of the workers in the facility shall post the sign described in subsection (4) and the sign described in subsection (5) outside any entrance to the controlled smoking area.

(4) The first sign referred to in subsection (3) shall,

(a) be 10 centimetres in height and 10 centimetres in width;

(b) have a white background with a red border and black text;

(c) bear the words "You have to live here to smoke here. And due to the grave health effects of second-hand smoke, employees are not required to enter." in English or "Vous devez vivre ici pour fumer ici. En raison des effets négatifs de la fumée secondaire sur la santé, les employés ne sont pas tenus d'entrer." in French;

(d) have the graphic and the Trillium and Smoke-Free Ontario logos shown on the representation of the sign accessible through the website of the Ministry of Health Promotion at http://www.mhp.gov.on.ca/english/health/smoke_free/sign_17-4 or http://www.mhp.gov.on.ca/french/health/smoke_free/affiche_17-4; and

(e) be in the format shown on the representation of the sign accessible through that website.

(5) The second sign referred to in subsection (3) shall indicate the maximum permitted occupancy of the controlled smoking area.

(6) Subject to subsection (7), the requirements of paragraphs 4 and 8 of subsection (1) do not apply to a controlled smoking area before June 30, 2006.

(7) The requirements of paragraphs 4 and 8 of subsection (1) do not apply to a controlled smoking area until December 31, 2006, if the proprietor of the controlled smoking area has submitted plans to the Minister on or before June 30, 2006, indicating that the proprietor shall meet those requirements on or before December 31, 2006.

Supportive housing residence

19. For the purposes of subparagraph 1 v of subsection 9 (7) of the Act, "supportive housing residence" includes homes for special care licensed under the *Homes for Special Care Act*.

Psychiatric facilities

20. For the purposes of paragraph 1 of subsection 9 (8) of the Act, the following psychiatric facilities are designated:

1. A psychiatric facility that is designated under the *Mental Hospitals Act* as a facility to which that Act applies.
2. A psychiatric facility under the *Mental Health Act* that was formerly designated under the *Mental Hospitals Act* as a facility to which the *Mental Hospitals Act* applies and that became a division or other part of another facility as a result of the implementation of a plan for the restructuring of hospital services.

Facilities for veterans

21. For the purposes of paragraph 1 of subsection 9 (9) of the Act, the following facilities for veterans are designated:

1. The Parkwood Hospital site of St. Joseph's Health Care London.
2. The Kilgour wing (K wing) and the George Hees wing (L wing) of the Sunnybrook and Women's College Health Sciences Centre.

Signs — hotels, motels, inns

22. (1) For the purposes of clauses 9 (3) (c) and (6) (c) and section 10 of the Act, the employer and the proprietor shall post the sign described in subsection (2) in every guest room that has not been designated under paragraph 3 of subsection 9 (10) of the Act and in every washroom associated with the guest room.

(2) The sign referred to in subsection (1) shall,

- (a) be 10 centimetres in height and 10 centimetres in width;
- (b) have a white background and have a graphic of the international no smoking symbol;
- (c) have the Trillium and Smoke-Free Ontario logos shown on the representation of the sign accessible through the website of the Ministry of Health Promotion at http://www.mhp.gov.on.ca/english/health/smoke_free/sign_intl or http://www.mhp.gov.on.ca/french/health/smoke_free/affiche_intl; and
- (d) be in the format shown on the representation of the sign accessible through that website.

Home health-care worker

23. (1) For the purposes of subsection 9.1 (3) of the Act, a home health-care worker who has exercised his or her right to leave must phone his or her employer within 30 minutes of leaving, or as soon as is reasonably possible after that, and inform the employer,

- (a) that the worker has left;
- (b) whether an appropriate person is present and available to care for the person to whom the health-care services were being provided or were to be provided;
- (c) if the person to whom the health-care services were being provided or were to be provided would require care in the next 24 hours;
- (d) in what situation the person to whom the health-care services were being provided or were to be provided was when the worker left; and
- (e) whether there are any unusual circumstances and if so, what they are.

(2) The home health-care worker shall also follow any guidelines provided by the employer that are reasonably aimed at ensuring that the person to whom the health-care services were being provided or were to be provided is kept safe and provided with a reasonable level of care.

Traditional use of tobacco

24. For the purposes of paragraph 8 of subsection 13 (4) of the Act, premises licensed under the *Independent Health Facilities Act* are places that belong to a prescribed class.

Automatic prohibition

25. (1) For the purposes of section 18 of the Act, any person who is convicted of a tobacco sales offence under section 15 of the Act for contravening section 5, 6 or 7 of the Act, or subsection 16 (4) of the Act, or section 8 or 29 of the *Tobacco Tax Act*, and who is subject to a prohibition under section 16 of the Act, shall for the duration of the prohibition post the sign described in subsection (2) at every location where tobacco was sold or supplied immediately before the day the prohibition came into effect.

(2) The sign referred to in subsection (1) shall,

- (a) be 18 centimetres in height and 35 centimetres in width;
- (b) have a red background with black text and white text;
- (c) bear the words "We cannot sell tobacco products. We were convicted of tobacco sales offences." in English or "Nous ne pouvons vendre de produits du tabac. Nous avons été reconnus coupables d'avoir commis une infraction liée à la vente de tabac." in French;
- (d) have the graphic and the Trillium and Smoke-Free Ontario logos shown on the representation of the sign accessible through the website of the Ministry of Health Promotion at http://www.mhp.gov.on.ca/english/health/smoke_free/sign_24-2 or http://www.mhp.gov.on.ca/french/health/smoke_free/affiche_24-2;
- (e) have spaces for the inspector to fill in the address of the location and the period of the prohibition; and
- (f) be in the format shown on the representation of the sign accessible through the website mentioned in clause (d).

(3) For the purposes of section 18 of the Act, any person who is convicted of a tobacco sales offence under section 15 of the Act for contravening subsection 3 (1) or (2) of the Act, and who is subject to a prohibition under section 16 of the Act, shall for the duration of the prohibition post the sign described in subsection (4) at every location where tobacco was sold or supplied immediately before the day the prohibition came into effect.

(4) The sign referred to in subsection (3) shall,

- (a) be 18 centimetres in height and 35 centimetres in width;
- (b) have a red background with black text and white text;
- (c) bear the words "We cannot sell tobacco products. We were convicted of tobacco sales to minors." in English or "Nous ne pouvons vendre de produits du tabac. Nous avons été reconnus coupables d'en avoir vendu à des mineurs." in French;
- (d) have the graphic and the Trillium and Smoke-Free Ontario logos shown on the representation of the sign accessible through the website of the Ministry of Health Promotion at http://www.mhp.gov.on.ca/english/health/smoke_free/sign_24-4 or http://www.mhp.gov.on.ca/french/health/smoke_free/affiche_24-4;
- (e) have spaces for the inspector to fill in the address of the location and the period of the prohibition; and
- (f) be in the format shown on the representation of the sign accessible through the website mentioned in clause (d).

Revocation

26. Ontario Regulation 613/94 is revoked.

Commencement

27. This Regulation comes into force on May 31, 2006.

SCHEDULE 1 MAINTENANCE REQUIREMENTS FOR CONTROLLED SMOKING AREAS

For the purposes of paragraph 4 of subsection 18 (1) of the regulation, a qualified person shall perform the following maintenance checks on the controlled smoking area and systems in the controlled smoking area, and correct any thing that is not in compliance with the requirements for the controlled smoking area:

1. A monthly visual inspection of the controlled smoking area to ensure that it is operating in compliance with the regulation, and in particular that,
 - i. the systems in the controlled smoking area are operating,
 - ii. the temperature conditions set out in paragraph 8 of Schedule 2 in the controlled smoking area are maintained,
 - iii. the doors are closing properly,
 - iv. there is no unusual accumulation of smoke in the controlled smoking area, and

- v. there is no accumulation of smoke outside the controlled smoking area.
- 2. A quarterly routine maintenance or maintenance as recommended by the equipment manufacturer, whichever is more frequent, and further maintenance as appropriate given the use of the system, including but not limited to changing the filter, checking and maintaining the motors, refrigeration system, heating system, and control system, and cleaning the coils and heat recovery system.
- 3. An annual engineering inspection including air flow testing.

SCHEDULE 2

ADDITIONAL REQUIREMENTS FOR CONTROLLED SMOKING AREAS

The following are additional requirements for controlled smoking areas under paragraph 8 of subsection 18 (1) of the regulation:

STRUCTURE AND FURNISHINGS

- 1. The controlled smoking area shall be constructed with smoke sealed floor to slab partitions or sealed partitions with gypsum board ceilings. Floor to ceiling partitions with any permeable material, including but not limited to acoustic tiles, shall not be used.
- 2. The controlled smoking area shall be provided with a pressurized vestibule, having minimum dimensions of 1.8 metres in width and 2.4 metres in length, with two sets of doors with electric operators and door sweeps.
- 3. The controlled smoking area shall not contain soft fabric window coverings, carpets, ceiling tiles or soft fabric cover furniture.
- 4. The furniture in the controlled smoking area shall be of non-combustible, non-permeable, durable and easily cleanable surface material.

VENTILATION

- 5. The controlled smoking area shall be isolated from the other areas of the building and shall have a separate ventilation system that operates at all times. No air from the controlled smoking area shall be circulated to the rest of the building.
- 6. The ventilation system shall provide separate and filtered supply air to the controlled smoking area at a minimum ventilation rate of 30 litres per second per person for the maximum permitted occupancy of the controlled smoking area. The ventilation system shall heat or cool the supply air to maintain the temperature conditions set out in paragraph 8.
- 7. The controlled smoking area shall be maintained at a pressure that is 5 to 7 Pascals less than the pressure in any adjoining non-smoking area. The rate of air exhausted from the controlled smoking shall be 10 per cent greater than the rate at which air is supplied to the controlled smoking area.
- 8. The controlled smoking area shall be maintained at a temperature of at least 22°C and shall be increased, where appropriate, to a maximum of 25.5°C.
- 9. Thermal displacement ventilation shall supply the air at a low level close to the entrance of the controlled smoking area at a maximum velocity of 0.20 metres per second.
- 10. The air from the controlled smoking area shall be collected at ceiling level at the end of the area opposite the entrance and exhausted to the outside with a minimum velocity of 0.36 metres per second through each exhaust air discharge opening.
- 11. The exhaust air discharge openings for the air that is removed from the controlled smoking area shall be located at least 3.6 metres above ground and 6 metres from any opening windows, balconies and air intakes.
- 12. Supply air intakes and exhaust air discharge openings shall be separated horizontally by a minimum of 6 metres.
- 13. All the equipment for the controlled smoking area must be located in accessible locations. Switches and thermostats for the controlled smoking area that are in public areas shall be provided with lockable cages that shall be kept locked, and to which only authorized persons have access.
- 14. All duct work shall be of rigid material. Balancing dampers shall be provided on all branch ducts.
- 15. The ventilation system shall be provided with an interlock between air supply and exhaust to ensure continuous operation of both systems.
- 16. The ventilation system shall incorporate a heat recovery system to capture the heat from the exhaust air flows.
- 17. The proper installation of the systems in the controlled smoking area must be verified before the controlled smoking area is used. All systems shall be balanced by a balancing contractor who is affiliated with the Associated Air Balance Council or National Environmental Balancing Bureau and who is not associated with the contractor who built the controlled smoking area, the employer of the employees who maintain or clean the controlled smoking area, or the proprietor of the controlled smoking area.

RÈGLEMENT DE L'ONTARIO 48/06
pris en application de la
LOI FAVORISANT UN ONTARIO SANS FUMÉE

pris le 1^{er} mars 2006
déposé le 1^{er} mars 2006
publié sur le site Lois-en-ligne le 3 mars 2006
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DISPOSITIONS GÉNÉRALES

Interprétation

1. (1) Les définitions qui suivent s'appliquent au présent règlement.

«accessoires de produits du tabac» Produits pouvant être utilisés pour la consommation d'un produit du tabac, notamment une boîte à tabac, une pipe, un fume-cigarette, un coupe-cigare, un briquet et les allumettes. («tobacco product accessories»)

«produits du tabac de spécialité» S'entend notamment des produits du tabac et des accessoires de produits du tabac. Sont toutefois exclues les cigarettes au sens de la *Loi de la taxe sur le tabac* et des règlements pris en application de celle-ci. («specialty tobacco products»)

(2) La définition qui suit s'applique aux articles 13 et 14.

«toit» S'entend d'une barrière physique de toutes dimensions, qu'elle soit temporaire ou permanente, qui couvre tout ou partie d'une zone ou d'un endroit et qui est capable d'exclure la pluie, d'empêcher le passage d'air ou de servir ces deux fins.

(3) La définition qui suit s'applique à l'article 14.

«mur» S'entend d'une barrière physique de toutes dimensions qui est capable d'exclure la pluie, d'empêcher le passage d'air ou de servir ces deux fins, y compris une barrière mobile ou temporaire.

Affiches

2. Les affiches devant être posées aux termes de la Loi et des règlements sont posées bien en vue et sans obstruction à leur visibilité.

Identification comme personne ayant au moins 19 ans

3. (1) Pour l'application du paragraphe 3 (3) de la Loi, une pièce d'identité est prescrite si elle comprend une photo de la personne, donne la date de naissance de celle-ci et semble raisonnablement avoir été délivrée par un gouvernement.

(2) Sans préjudice de la portée générale du paragraphe (1), la pièce d'identité peut être d'un des types prescrits au paragraphe (3).

(3) Sont prescrits pour l'application du paragraphe 3 (3) de la Loi les types de pièce d'identité suivants :

1. Un permis de conduire délivré par la province de l'Ontario, avec photo de la personne à qui il est délivré.
2. Un passeport canadien.
3. Une carte de citoyenneté canadienne, avec photo de la personne à qui elle est délivrée.
4. Une carte d'identité des Forces armées canadiennes.
5. Une carte-photo délivrée par la Régie des alcools de l'Ontario.

Dispense accordée aux marchands de tabac : étalage

4. (1) Pour l'application de l'article 3.1 de la Loi, un marchand de tabac est un établissement de vente au détail qui est enregistré auprès du ministère de la Promotion de la santé comme marchand de tabac et dont, selon le cas :

- a) au moins 50 pour cent des ventes totales effectuées au cours des 12 mois précédents est constitué de produits du tabac de spécialité;
- b) s'il est ouvert depuis moins de 12 mois, au moins 50 pour cent des achats de stocks totaux ou des ventes totales effectués depuis qu'il existe est constitué de produits du tabac de spécialité.

(2) Le détaillant qui vend des produits du tabac chez un marchand de tabac n'est dispensé de l'application des paragraphes 3.1 (1) et (2) de la Loi qu'à l'égard de l'exposition de produits du tabac de spécialité à cet endroit, sous réserve des conditions suivantes :

1. Le détaillant ne doit pas permettre à une personne qui a moins de 19 ans d'entrer chez le marchand de tabac, sauf si elle est accompagnée d'une personne qui a au moins 19 ans. Pour l'application de la présente disposition, quiconque semble avoir moins de 25 ans est réputé avoir moins de 19 ans, sauf si le propriétaire de l'établissement lui a demandé une pièce d'identité et est convaincu qu'il a au moins 19 ans.
2. Les clients du marchand de tabac ne peuvent entrer chez lui que de l'extérieur ou à partir des zones d'un centre commercial clos qui, à la fois :
 - i. sont ouvertes au public,
 - ii. sont partagées par la plupart des établissements de vente au détail ou autres commerces qui s'y trouvent,
 - iii. ne font pas partie d'un établissement de vente au détail ou d'un autre commerce qui s'y trouve.
3. L'établissement du marchand de tabac ne doit pas être une voie de passage.

Dispense accordée aux détaillants : étalage dans une boutique hors taxe

5. Le détaillant qui vend des produits du tabac à une boutique hors taxes au sens du paragraphe 2 (1) de la *Loi sur les douanes* (Canada) est dispensé de l'application des paragraphes 3.1 (1) et (2) de la Loi à l'égard des ventes de tels produits à cette boutique, sous réserve des conditions suivantes :

1. Les produits du tabac et les accessoires de produits du tabac ne peuvent pas être vus de l'extérieur de la boutique.
2. Les clients de la boutique ne peuvent y entrer que de l'extérieur ou à partir des zones d'un centre commercial clos qui, à la fois :
 - i. sont ouvertes au public,
 - ii. sont partagées par la plupart des établissements de vente au détail ou autres commerces qui s'y trouvent,
 - iii. ne font pas partie d'un établissement de vente au détail ou d'un autre commerce qui s'y trouve.
3. La boutique ne doit pas être une voie de passage.

Dispense accordée aux fabricants : étalage

6. (1) Pour l'application du présent article, est un fabricant de produits du tabac quiconque :
 - a) d'une part, produit ou fabrique des produits du tabac destinés à la distribution, à la vente ou à l'entreposage en Ontario;
 - b) d'autre part, est titulaire du certificat d'inscription du fabricant visé à l'article 7 de la *Loi de la taxe sur le tabac*.
- (2) Pour l'application du présent article, est notamment un fabricant toute entité qui est associée à un fabricant, y compris une entité qui contrôle le fabricant ou qui est contrôlée par celui-ci ou par celle qui contrôle le fabricant.
- (3) Un fabricant de produits du tabac est dispensé de l'application de l'article 3.1 de la Loi à l'égard d'un endroit où il produit ou fabrique ces produits, sous réserve des conditions suivantes :

1. L'endroit est inscrit auprès du ministère de la Promotion de la santé aux fins de la dispense.
2. Le fabricant ne doit pas permettre à une personne qui a moins de 19 ans d'entrer dans l'endroit, sauf si elle est accompagnée d'une personne qui a au moins 19 ans. Pour l'application de la présente disposition, quiconque semble avoir moins de 25 ans est réputé avoir moins de 19 ans, sauf si le fabricant lui a demandé une pièce d'identité et est convaincu qu'il a au moins 19 ans.
3. Les produits du tabac et les accessoires de produits du tabac ne peuvent pas être vus de l'extérieur de l'endroit.
4. Les clients ne peuvent entrer dans l'endroit que de l'extérieur ou à partir des zones d'un centre commercial clos qui, à la fois :
 - i. sont ouvertes au public,
 - ii. sont partagées par la plupart des établissements de vente au détail ou autres commerces qui s'y trouvent,
 - iii. ne font pas partie d'un établissement de vente au détail ou d'un autre commerce qui s'y trouve.
5. L'endroit ne doit pas être une voie de passage.

Promotion de produits du tabac

7. Pour l'application du paragraphe 3.1 (3) de la Loi, l'affiche qui est posée dans un endroit où des produits du tabac sont vendus ou mis en vente et qui fait référence à ces produits, aux accessoires de produits du tabac ou aux deux est un type de «matériel promotionnel» si la Loi ou le présent règlement n'exige pas qu'elle y soit posée et qu'il est satisfait à une ou à plusieurs des conditions suivantes :

1. Le texte de l'affiche peut être vu de l'extérieur de l'endroit où les produits du tabac sont vendus ou mis en vente.
2. L'affiche mesure plus de 968 centimètres carrés.

3. Le fonds de l'affiche est d'une couleur autre que le blanc et le texte est d'une couleur autre que le noir.
4. L'affiche comprend du texte ou une illustration graphique qui identifie ou reflète une marque de tabac ou de produit lié au tabac ou un élément de cette marque.
5. L'affiche est l'une de plus de trois affiches dans l'endroit qui font référence aux produits du tabac, aux accessoires de produits du tabac ou aux deux et dont la Loi ou le présent règlement n'exige pas qu'elles y soient posées.

Interdiction de vente dans les endroits désignés

8. Pour l'application de la disposition 10 du paragraphe 4 (2) de la Loi, les lieux titulaires de permis délivrés en vertu de la *Loi sur les établissements de santé autonomes* sont des endroits qui font partie d'une catégorie prescrite.

Exigences relatives à l'emballage

9. Pour l'application du paragraphe 5 (1) de la Loi, le tabac doit être emballé conformément aux exigences de la *Loi sur le tabac* (Canada) et aux règlements pris en application de celle-ci, et l'emballage doit comporter ou comprendre les renseignements qu'exigent cette loi et ces règlements.

Affiches : restriction quant à l'âge et mise en garde en matière de santé

10. (1) Pour l'application de l'article 6 de la Loi, quiconque vend ou met en vente du tabac au détail pose l'affiche visée au paragraphe (2) en tout lieu où le tabac est vendu ou fourni de sorte que la personne qui le vend ou le fournit et celle à qui il est vendu ou fourni puissent la voir clairement.

(2) L'affiche visée au paragraphe (1) :

- a) est d'une hauteur de 18 centimètres et d'une largeur de 35 centimètres;
- b) a un fonds rouge et du texte noir et blanc;
- c) comporte les mots «Les produits du tabac créent une dépendance et tuent 1 fumeur sur 2 à long terme. Il est illégal de vendre ou de fournir des produits du tabac à des personnes de moins de 19 ans.» en français ou «Tobacco products are addictive and kill 1 out of every 2 long-term smokers. It is illegal to sell or supply them to anyone under 19 years of age.» en anglais;
- d) comporte l'illustration graphique et les logos Trillium et Ontario sans fumée montrés sur la représentation de l'affiche qui est accessible sur le site Web du ministère de la Promotion de la santé à l'adresse
http://www.mhp.gov.on.ca/french/health/smoke_free/affiche_9-2
http://www.mhp.gov.on.ca/english/health/smoke_free/sign_9-2; ou
- e) est disposée de la même façon que celle qui est accessible sur le site Web sus-mentionné.

Affiches : identification

11. (1) Pour l'application de l'article 6 de la Loi, quiconque vend ou met en vente du tabac au détail pose l'affiche visée au paragraphe (2) en tout lieu où le tabac est vendu ou fourni de sorte que la personne qui le vend ou le fournit et celle à qui il est vendu ou fourni puissent la voir clairement.

(2) L'affiche visée au paragraphe (1) :

- a) est d'une hauteur de 9 centimètres et d'une largeur de 18 centimètres;
- b) a un fonds rouge et du texte noir et blanc;
- c) comporte les mots «Une pièce d'identité avec photo et date de naissance fournie par le gouvernement doit être présentée sur demande. Vous devez avoir au moins 19 ans pour acheter des produits du tabac.» en français ou «Government I.D. with a photo and birth date must be shown when requested. You must be 19 or older to purchase tobacco products.» en anglais;
- d) comporte l'illustration graphique et les logos Trillium et Ontario sans fumée montrés sur la représentation de l'affiche qui est accessible sur le site Web du ministère de la Promotion de la santé à l'adresse
http://www.mhp.gov.on.ca/french/health/smoke_free/affiche_10-2
http://www.mhp.gov.on.ca/english/health/smoke_free/sign_10-2; ou
- e) est disposée de la même façon que celle qui est accessible sur le site Web sus-mentionné.

Endroits où il est interdit de fumer

12. Pour l'application de la disposition 7 du paragraphe 9 (2) de la Loi, est prescrit l'endroit situé dans un rayon de neuf mètres d'une entrée ou d'une sortie des endroits suivants :

1. Les hôpitaux au sens de la *Loi sur les hôpitaux publics*.
2. Les hôpitaux privés au sens de la *Loi sur les hôpitaux privés*.
3. Les établissements psychiatriques au sens de la *Loi sur la santé mentale*.

4. Les maisons de soins infirmiers au sens de la *Loi sur les maisons de soins infirmiers*.
5. Les foyers de bienfaisance pour personnes âgées agréés au sens de la *Loi sur les établissements de bienfaisance*.
6. Les foyers au sens de la *Loi sur les foyers pour personnes âgées et les maisons de repos*.
7. Les établissements de santé autonomes titulaires d'un permis délivré en vertu de la *Loi sur les établissements de santé autonomes*.

Terrasses de bars et de restaurants

13. Pour l'application de la disposition 7 du paragraphe 9 (2) de la Loi, est prescrit l'endroit qui satisfait aux conditions suivantes :

1. Le public y est ordinairement invité ou l'accès lui est ordinairement permis, expressément ou implicitement, que des frais d'entrée soient exigés ou non, ou des employés y travaillent ou le fréquentent au cours de leur emploi, que ce soit ou non dans le cadre de celui-ci.
2. Il a un toit.
3. Des aliments ou des boissons y sont servis ou vendus ou offerts aux fins de consommation, ou il fait partie d'un endroit où des aliments ou des boissons sont servis, vendus ou offerts ou est exploité en rapport avec cet endroit.
4. Il n'est pas utilisé principalement comme logement privé.

Abri pour fumeurs

14. Pour l'application de la disposition 7 du paragraphe 9 (2) de la Loi, est prescrit l'endroit qui satisfait aux conditions suivantes :

1. Le public y est ordinairement invité ou l'accès lui est ordinairement permis, expressément ou implicitement, que des frais d'entrée soient exigés ou non, ou des employés y travaillent ou le fréquentent au cours de leur emploi, que ce soit ou non dans le cadre de celui-ci.
2. Il a un toit et plus de deux murs.
3. Il n'est pas utilisé principalement comme logement privé.

Obligations de l'employeur

15. (1) Pour l'application de l'alinéa 9 (3) c) et de l'article 10 de la Loi, l'employeur pose l'affiche visée au paragraphe (2) à chaque entrée et à chaque sortie du lieu de travail clos à des endroits appropriés et en nombre suffisant de sorte que les employés et le public sachent qu'il est interdit d'y fumer.

(2) L'affiche visée au paragraphe (1) :

- a) est d'une hauteur de 10 centimètres et d'une largeur de 10 centimètres;
- b) a un fonds blanc et une illustration graphique du symbole international de l'interdiction de fumer;
- c) comporte les logos Trillium et Ontario sans fumée montrés sur la représentation de l'affiche qui est accessible sur le site Web du ministère de la Promotion de la santé à l'adresse http://www.mhp.gov.on.ca/french/health/smoke_free/affiche_intl ou http://www.mhp.gov.on.ca/english/health/smoke_free/sign_intl;
- d) est disposée de la même façon que celle qui est accessible sur le site Web sus-mentionné.

(3) Pour l'application de l'alinéa 9 (3) f) de la Loi, l'employeur doit veiller à ce que toute pièce ou chambre qui est désignée en application de la disposition 2 du paragraphe 9 (7), (8) ou (9) de la Loi ou de la disposition 3 du paragraphe 9 (10) de la Loi satisfasse aux exigences que la Loi et l'article 18 du présent règlement énoncent à son égard.

Procédure s'appliquant aux employés

16. Pour l'application du paragraphe 9 (5) de la Loi, les paragraphes 50 (2) à (8) de la *Loi sur la santé et la sécurité au travail* s'appliquent, avec les adaptations nécessaires, lorsqu'un employé se plaint qu'il a été contrevenu au paragraphe 9 (4) de la Loi.

Obligations du propriétaire

17. (1) Pour l'application de l'alinéa 9 (6) c) et de l'article 10 de la Loi, le propriétaire pose l'affiche visée au paragraphe (2) à chaque entrée et à chaque sortie du lieu public clos ou de l'autre endroit à des endroits appropriés et en nombre suffisant de sorte que le public sache qu'il est interdit d'y fumer.

(2) L'affiche visée au paragraphe (1) :

- a) est d'une hauteur de 10 centimètres et d'une largeur de 10 centimètres;
- b) a un fonds blanc et une illustration graphique du symbole international de l'interdiction de fumer;

c) comporte les logos Trillium et Ontario sans fumée montrés sur la représentation de l'affiche qui est accessible sur le site Web du ministère de la Promotion de la santé à l'adresse http://www.nihp.gov.on.ca/french/health/smoke_free/affiche_intl ou http://www.mhp.gov.on.ca/english/health/smoke_free/sign_intl;

d) est disposée de la même façon que celle qui est accessible sur le site Web sus-mentionné.

(3) Pour l'application de l'alinéa 9 (6) f) de la Loi, le propriétaire doit veiller à ce que toute pièce ou chambre qui est désignée en application de la disposition 2 du paragraphe 9 (7), (8) ou (9) de la Loi ou de la disposition 3 du paragraphe 9 (10) de la Loi satisfasse aux exigences que la Loi et l'article 18 du présent règlement énoncent à son égard.

Zones-fumeurs contrôlées

18. (1) Pour l'application des paragraphes 9 (7), (8) et (9) de la Loi, les exigences suivantes s'appliquent à la zone-fumeurs contrôlée si un propriétaire ou un employeur choisit d'en exploiter une :

1. Elle doit être close et séparée du reste du bâtiment et ne doit pas être une voie de passage.
2. Elle doit être réservée expressément à l'usage du tabac.
3. Elle doit être inscrite auprès du ministre par son propriétaire et par l'employeur des travailleurs qui l'entretiennent.
4. Son propriétaire et l'employeur des travailleurs qui l'entretiennent veillent à ce qu'elle fasse l'objet de vérifications d'entretien effectuées conformément à l'annexe 1.
5. Elle respecte tous les codes et toutes les normes applicables et, en cas d'incompatibilité, les exigences de ces codes et normes l'emportent sur celles du présent règlement. Les séparations coupe-feu et autres dispositifs de protection de la vie humaine en place sont entretenus ou modernisés selon ce qu'exige l'emploi nouveau de l'espace.
6. Elle doit être nettoyée chaque jour et nul ne doit y fumer pendant les deux heures qui précèdent l'entrée du personnel d'entretien ni pendant que celui-ci la nettoie. Une affiche précisant les heures pendant lesquelles il est interdit d'y fumer est posée à l'extérieur de la zone.
7. Elle doit être équipée d'un système de ventilation indépendant dont le taux de renouvellement d'air minimum est de 30 litres par seconde par personne pour la capacité maximale permise de la zone et dont l'air vicié s'échappe vers l'extérieur du bâtiment.
8. Elle doit satisfaire aux exigences énoncées à l'annexe 2.

(2) Si une zone-fumeurs contrôlée dans l'établissement est réservée à l'usage du tabac et à une autre activité, il doit y avoir dans l'établissement une autre zone, de taille égale ou supérieure à celle de la zone-fumeurs contrôlée, où il est interdit de fumer et dans laquelle l'autre activité peut être exercée.

(3) Si une zone-fumeurs contrôlée dans l'établissement est réservée à l'usage du tabac, le propriétaire de l'établissement et l'employeur des travailleurs de celui-ci posent l'affiche visée au paragraphe (4) et celle visée au paragraphe (5) à l'extérieur de toute entrée de la zone.

(4) La première affiche visée au paragraphe (3) :

- a) est d'une hauteur de 10 centimètres et d'une largeur de 10 centimètres;
- b) a un fonds blanc, une bordure rouge et du texte noir;
- c) comporte les mots «Vous devez vivre ici pour fumer ici. En raison des effets négatifs de la fumée secondaire sur la santé, les employés ne sont pas tenus d'entrer.» en français ou «You have to live here to smoke here. And due to the grave health effects of second-hand smoke, employees are not required to enter.» en anglais;
- d) comporte l'illustration graphique et les logos Trillium et Ontario sans fumée montrés sur la représentation de l'affiche qui est accessible sur le site Web du ministère de la Promotion de la santé à l'adresse http://www.nihp.gov.on.ca/french/health/smoke_free/affiche_17-4 ou http://www.mhp.gov.on.ca/english/health/smoke_free/sign_17-4;
- e) est disposée de la même façon que celle qui est accessible sur le site Web sus-mentionné.

(5) La seconde affiche visée au paragraphe (3) indique la capacité maximale permise de la zone-fumeurs contrôlée.

(6) Sous réserve du paragraphe (7), les exigences énoncées aux dispositions 4 et 8 du paragraphe (1) ne s'appliquent pas aux zones-fumeurs contrôlées avant le 30 juin 2006.

(7) Les exigences énoncées aux dispositions 4 et 8 du paragraphe (1) ne s'appliquent aux zones-fumeurs contrôlées qu'à compter du 31 décembre 2006 si le propriétaire de celle-ci a présenté au ministre, au plus tard le 30 juin 2006, des plans indiquant qu'il satisfera à ces exigences au plus tard le 31 décembre 2006.

Résidence comprenant des logements avec services de soutien

19. Pour l'application de la sous-disposition 1 v du paragraphe 9 (7) de la Loi, «résidence comprenant des logements avec services de soutien» s'entend en outre des foyers de soins spéciaux titulaires d'un permis délivré en vertu de la *Loi sur les foyers de soins spéciaux*.

Établissements psychiatriques

20. Pour l'application de la disposition 1 du paragraphe 9 (8) de la Loi, les établissements psychiatriques suivants sont désignés :

1. Un établissement psychiatrique qui est désigné en vertu de la *Loi sur les hôpitaux psychiatriques* comme établissement auquel cette loi s'applique.
2. Un établissement psychiatrique au sens de la *Loi sur la santé mentale* qui était désigné auparavant en vertu de la *Loi sur les hôpitaux psychiatriques* comme établissement auquel cette dernière loi s'applique et qui est devenu une division ou une autre partie d'un autre établissement par suite de la mise en oeuvre d'un plan de restructuration des services hospitaliers.

Établissements pour anciens combattants

21. Pour l'application de la disposition 1 du paragraphe 9 (9) de la Loi, les établissements pour anciens combattants suivants sont désignés :

1. Le site de l'hôpital Parkwood Hospital du St. Joseph's Health Care London.
2. L'aile Kilgour (aile K) et l'aile George Hees (aile L) du Sunnybrook and Women's College Health Sciences Centre.

Affiches : hôtels, motels, auberges

22. (1) Pour l'application des alinéas 9 (3) c) et (6) c) et de l'article 10 de la Loi, l'employeur et le propriétaire posent l'affiche visée au paragraphe (2) dans chaque chambre qui n'a pas été désignée en application de la disposition 3 du paragraphe 9 (10) de la Loi et dans chaque toilette associée à la chambre.

(2) L'affiche visée au paragraphe (1) :

- a) est d'une hauteur de 10 centimètres et d'une largeur de 10 centimètres;
- b) a un fonds blanc et une illustration graphique du symbole international de l'interdiction de fumer;
- c) comporte les logos Trillium et Ontario sans fumée montrés sur la représentation de l'affiche qui est accessible sur le site Web du ministère de la Promotion de la santé à l'adresse http://www.mhp.gov.on.ca/french/health/smoke_free/affiche_intl ou http://www.mhp.gov.on.ca/english/health/smoke_free/sign_intl;
- d) est disposée de la même façon que celle qui est accessible sur le site Web sus-mentionné.

Travailleurs de la santé à domicile

23. (1) Pour l'application du paragraphe 9.1 (3) de la Loi, le travailleur de la santé à domicile qui a exercé son droit de quitter les lieux doit téléphoner à son employeur dans les 30 minutes qui suivent son départ, ou dès que raisonnablement possible par la suite, et l'informer de ce qui suit :

- a) le fait qu'il a quitté les lieux;
- b) si une personne compétente est présente et disponible pour prendre soin de la personne à qui les services de soins de santé étaient fournis ou devaient l'être;
- c) si la personne à qui les services de soins de santé étaient fournis ou devaient l'être aura besoin de soins au cours des prochaines 24 heures;
- d) la situation de la personne à qui les services de soins de santé étaient fournis ou devaient l'être lorsqu'il a quitté les lieux;
- e) s'il existe des circonstances exceptionnelles et, si tel est le cas, en quoi elles consistent.

(2) Le travailleur de la santé à domicile suit également toutes directives fournies par l'employeur qui visent raisonnablement à faire en sorte que la personne à qui les services de soins de santé étaient fournis ou devaient l'être soit tenue en sécurité et qu'un niveau raisonnable de soins lui soit fournis.

Usage traditionnel du tabac

24. Pour l'application de la disposition 8 du paragraphe 13 (4) de la Loi, les établissements titulaires d'un permis délivré en vertu de la *Loi sur les établissements de santé autonomes* sont des endroits qui font partie d'une catégorie prescrite.

Interdiction automatique

25. (1) Pour l'application de l'article 18 de la Loi, quiconque est déclaré coupable d'une infraction relative à la vente de tabac prévue à l'article 15 de la Loi du fait d'avoir contrevenu à l'article 5, 6 ou 7 ou au paragraphe 16 (4) de la Loi ou à l'article 8 ou 29 de la *Loi de la taxe sur le tabac* et est assujéti à l'interdiction prévue à l'article 16 de la Loi pose l'affiche visée au paragraphe (2) à chaque endroit où du tabac était vendu ou fourni immédiatement avant le jour de l'entrée en vigueur de l'interdiction, et ce tant que dure celle-ci.

(2) L'affiche visée au paragraphe (1) :

- a) est d'une hauteur de 18 centimètres et d'une largeur de 35 centimètres;
- b) a un fonds rouge et du texte noir et blanc;
- c) comporte les mots «Nous ne pouvons vendre de produits du tabac. Nous avons été reconnus coupables d'avoir commis une infraction liée à la vente de tabac.» en français ou «We cannot sell tobacco products. We were convicted of tobacco sales offences.» en anglais;
- d) comporte l'illustration graphique et les logos Trillium et Ontario sans fumée montrés sur la représentation de l'affiche qui est accessible sur le site Web du ministère de la Promotion de la santé à l'adresse http://www.mhp.gov.on.ca/french/health/smoke_free/affiche_24-2 ou http://www.mhp.gov.on.ca/english/health/smoke_free/sign_24-2;
- e) a des espaces où l'inspecteur peut inscrire l'adresse de l'endroit et la durée de l'interdiction;
- f) est disposée de la même façon que celle qui est accessible sur le site Web visé à l'alinéa d).

(3) Pour l'application de l'article 18 de la Loi, quiconque est déclaré coupable d'une infraction relative à la vente de tabac prévue à l'article 15 de la Loi du fait d'avoir contrevenu au paragraphe 3 (1) ou (2) de la Loi et est assujettie à l'interdiction prévue à l'article 16 de la Loi pose l'affiche visée au paragraphe (4) à chaque endroit où du tabac était vendu ou fourni immédiatement avant le jour de l'entrée en vigueur de l'interdiction, et ce tant que dure celle-ci.

(4) L'affiche visée au paragraphe (3) :

- a) est d'une hauteur de 18 centimètres et d'une largeur de 35 centimètres;
- b) a un fonds rouge et du texte noir et blanc;
- c) comporte les mots «Nous ne pouvons vendre de produits du tabac. Nous avons été reconnus coupables d'en avoir vendu à des mineurs.» en français ou «We cannot sell tobacco products. We were convicted of tobacco sales to minors.» en anglais;
- d) comporte l'illustration graphique et les logos Trillium et Ontario sans fumée montrés sur la représentation de l'affiche qui est accessible sur le site Web du ministère de la Promotion de la santé à l'adresse http://www.mhp.gov.on.ca/french/health/smoke_free/affiche_24-4 ou http://www.mhp.gov.on.ca/english/health/smoke_free/sign_24-4;
- e) a des espaces où l'inspecteur peut inscrire l'adresse de l'endroit et la durée de l'interdiction;
- f) est disposée de la même façon que celle qui est accessible sur le site Web visé à l'alinéa d).

Abrogation

26. Le Règlement de l'Ontario 613/94 est abrogé.

Entrée en vigueur

27. Le présent règlement entre en vigueur le 31 mai 2006.

ANNEXE 1 EXIGENCES D'ENTRETIEN APPLICABLES AUX ZONES-FUMEURS CONTRÔLÉES

Pour l'application de la disposition 4 du paragraphe 18 (1) du règlement, une personne qualifiée effectue les vérifications d'entretien suivantes dans la zone-fumeurs contrôlée et sur les systèmes dont elle est pourvue et rectifie tout ce qui n'est pas conforme aux exigences applicables à la zone :

1. Une inspection visuelle mensuelle de la zone afin d'assurer qu'elle fonctionne conformément au règlement et, en particulier :
 - i. que les systèmes dont elle est pourvue fonctionnent,
 - ii. que les conditions de température énoncées à la disposition 8 de l'annexe 2 y sont maintenues,
 - iii. que les portes ferment comme il se doit,
 - iv. qu'il n'y existe aucune accumulation anormale de fumée,
 - v. qu'il n'existe aucune accumulation de fumée à l'extérieur de la zone.
2. Un entretien de routine trimestriel ou l'entretien recommandé par le fabricant de l'équipement, selon ce qui est plus fréquent, et l'entretien subséquent approprié compte tenu de l'utilisation du système, notamment le changement du filtre, la vérification et l'entretien des moteurs, du système de réfrigération, du système de chauffage et du système de commande et le nettoyage des serpentins et du système de récupération de chaleur.
3. Une inspection d'ingénierie annuelle, y compris un essai d'écoulement d'air.

ANNEXE 2

EXIGENCES ADDITIONNELLES APPLICABLES AUX ZONES-FUMEURS CONTRÔLÉES

Les exigences additionnelles suivantes s'appliquent aux zones-fumeurs contrôlées pour l'application de la disposition 8 du paragraphe 18 (1) du règlement :

STRUCTURE ET MEUBLES

1. La zone est faite de cloisons étanches à la fumée du plancher au plafond dallé ou de cloisons étanches et d'un plafond en placoplâtre. Les cloisons plancher-plafond qui contiennent des matériaux perméables, notamment des carreaux acoustiques, ne doivent pas être utilisés.
2. La zone est pourvue d'un vestibule sous pression d'une largeur minimale de 1,8 mètre et d'une longueur minimale de 2,4 mètres et de deux ensembles de portes munies de dispositifs de fermeture électriques et de bas de porte.
3. La zone ne doit pas contenir de couvre-fenêtres en tissu souple, de tapis, de carreaux de plafond ou de meubles recouverts de tissu souple.
4. Les meubles de la zone sont faits de matériaux incombustibles et imperméables qui sont durables et faciles à nettoyer.

VENTILATION

5. La zone est isolée des autres zones du bâtiment et est pourvue d'un système de ventilation indépendant qui fonctionne en permanence. Aucun air de la zone ne doit circuler dans le reste du bâtiment.
6. Le système de ventilation assure un approvisionnement en air indépendant et filtré à la zone à un taux de renouvellement d'air minimum est de 30 litres par seconde par personne pour la capacité maximale qui y est permise. Il chauffe ou refroidit l'approvisionnement en air afin de maintenir les conditions de température énoncées à la disposition 8.
7. La zone est maintenue à une pression qui est inférieure de 5 à 7 pascals à celle existant dans toute zone non-fumeur contiguë. Le taux d'évacuation de l'air vicié de la zone est de 10 pour cent supérieur au taux d'approvisionnement en air dans celle-ci.
8. La température dans la zone est maintenue à au moins 22 °C et, lorsque cela est approprié, est augmentée à au plus 25,5 °C.
9. La ventilation par déplacement thermique fournit l'air à un bas niveau près de l'entrée de la zone, et ce à une vitesse maximale de 0,20 mètre par seconde.
10. L'air de la zone est capté au niveau du plafond au bout de la partie située en face de l'entrée, puis évacué vers l'extérieur à une vitesse minimale de 0,36 mètres par seconde à travers chaque bouche d'évacuation d'air.
11. Les bouches d'évacuation d'air qui servent à évacuer l'air vicié de la zone sont situées à au moins 3,6 mètres du sol et 6 mètres des fenêtres ouvrantes, des balcons et des bouches d'entrée d'air.
12. Les bouches d'entrée d'air et les bouches d'évacuation d'air sont séparées horizontalement par au moins 6 mètres.
13. Tout l'équipement de la zone doit être accessible et les commutateurs et thermostats de celle-ci qui se trouvent dans des aires publiques sont munis de cages avec verrou qui sont tenues verrouillées et auxquelles seules les personnes autorisées ont accès.
14. Le système de conduits est fait de matériaux rigides. Tous les branchements des conduits sont munis de registres d'équilibrage.
15. Le système de ventilation est muni d'un dispositif de verrouillage qui permet de séparer les systèmes d'approvisionnement en air et d'évacuation d'air afin d'assurer leur fonctionnement continu.
16. Le système de ventilation incorpore un système de récupération de chaleur qui capte la chaleur des bouches d'évacuation d'air.
17. L'installation convenable des systèmes dans la zone doit être vérifiée avant que celle-ci ne soit utilisée. Tous les systèmes sont équilibrés par un entrepreneur en équilibrage aéraulique qui est affilié à l'Associated Air Balance Council ou au National Environmental Balancing Bureau et qui n'est associé ni à l'entrepreneur qui a construit la zone, ni à l'employeur des employés qui l'entretiennent ou la nettoient ni à son propriétaire.

ONTARIO REGULATION 49/06

made under the

SOCIAL HOUSING REFORM ACT, 2000

Made: March 1, 2006

Filed: March 1, 2006

Published on e-Laws: March 2, 2006

Printed in *The Ontario Gazette*: March 18, 2006

Amending O. Reg. 369/01

(Transfer of Administration for Housing Programs and Projects)

Note: Ontario Regulation 369/01 has previously been amended. Those amendments are listed in the Table of Regulations — Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Schedule 1 to Ontario Regulation 369/01 is amended by adding the following items:

| | | | |
|-------|---|---|---------------|
| 1060. | 5 | 1 Northwestern Avenue, Toronto — Harold and Grace Baker Centre | March 1, 2006 |
| 1061. | 5 | 5 Hahn Place Units 301-316, 7, 9, 11, 13, 15, 17, 19 & 21 Hahn Place, 114, 116, 118, 120, 122, 124, 126 & 128 Longboat Avenue, Toronto — New Canadians from the Soviet Union Inc. | March 1, 2006 |

2. Schedule 5 to the Regulation is amended by adding the following items:

| | | | |
|------|-------|---|---------------|
| 230. | 5 | 690-700 Stonechurch Road West, Hamilton — Hamilton Portuguese Community Homes Inc. | March 1, 2006 |
| 231. | 4 | 350 King Street East, Hamilton — First Place, Hamilton | March 1, 2006 |
| 232. | 6 (a) | 7, 11, 15, 19 & 23 Gurnett Drive, Vila Corvo, Hamilton — Hamilton Portuguese Community Homes Inc. | March 1, 2006 |
| 233. | 6 (a) | 680 Stonechurch Road West, Vila Santa Maria, Hamilton — Hamilton Portuguese Community Homes Inc. | March 1, 2006 |
| 234. | 6 (a) | 170 East Avenue South, Vila Sao Miguel, Hamilton — Hamilton Portuguese Community Homes Inc. | March 1, 2006 |

3. Schedule 6 to the Regulation is amended by adding the following items:

| | | | |
|------|---|---|---------------|
| 139. | 8 | 26 Bertie St., 318 Dufferin St., 240 Emerick Ave., 246 Jarvis St., 26 Keel St., 140 Murray St., 233 Phipps St., 65 Radford St., 26 Torrance St., 30 Wintemute St., Fort Erie — Ganawageh Urban Homes Inc. | March 1, 2006 |
| 140. | 7 | 255 Dufferin St., 331 Phipps St., 111 Stanton St., Fort Erie — Ganawageh Urban Homes Inc. | March 1, 2006 |
| 141. | 7 | 105 Albert St. (Front), 105 Albert St. (Rear), 212 Dufferin St., 243 Douglas St., 450 Phipps St. (Upper), 450 Phipps St. (Lower), 134 Stanton St., Fort Erie — Ganawageh Urban Homes Inc. | March 1, 2006 |
| 142. | 7 | 1229 Parkside Ave., 563 Fairview Rd., 1028, 1030 Daytona Dr., 664 Central Ave., Fort Erie — Ganawageh Urban Homes Inc. | March 1, 2006 |
| 143. | 7 | 3955 Victoria Rd., Crystal Beach — Ganawageh Urban Homes Inc. | March 1, 2006 |
| 144. | 7 | 172 Idylewyld St., 23 Bertie St., 961 Crescent Rd., Fort Erie, 302 Westwood Ave., Crystal Beach — Ganawageh Urban Homes Inc. | March 1, 2006 |
| 145. | 7 | 29, 32 Ellen St., 81 Robinson St., 5 Osborne St., 245 Dufferin St., 320 Bowen Rd., 683 Gilmore Rd., Fort Erie — Ganawageh Urban Homes Inc. | March 1, 2006 |
| 146. | 7 | 3647 Disher St., Ridgeway, 240 Stanton St., Fort Erie — Ganawageh Urban Homes Inc. | March 1, 2006 |
| 147. | 7 | 323 Phipps St., 212 Henrietta St., 397 Grandview Rd., Fort Erie — Ganawageh Urban Homes Inc. | March 1, 2006 |
| 148. | 7 | 3773 Disher St., Ridgeway, 382 Hellen St., Crystal Beach, 458 Parkdale Ave., 301 Bowen Rd., 17 Phipps St., Fort Erie — Ganawageh Urban Homes Inc. | March 1, 2006 |
| 149. | 7 | 58, 60, 66, 68 Dodds Crt., 73 Lillian St., Fort Erie — Ganawageh Urban Homes Inc. | March 1, 2006 |
| 150. | 7 | 33 Jennet St., 30, 34, 38 Russell St., 114 Stanton St., Fort Erie — Ganawageh Urban Homes Inc. | March 1, 2006 |
| 151. | 7 | 3166 Bethune Ave., 3294 Grove Ave., 3128 Poplar Ave., 3265 Jewell Ave., Ridgeway — Ganawageh Urban Homes Inc. | March 1, 2006 |
| 152. | 7 | 845 Crescent Rd., 422 Ferndale Ave., 22 Jessie St., Fort Erie — Ganawageh Urban Homes Inc. | March 1, 2006 |

4. Schedule 10 to the Regulation is amended by adding the following items:

| | | | |
|------|-------|---|----------------|
| 150. | 6 (a) | 31 Oprington Drive, Kitchener — Shehrazad Non-Profit Housing Inc. | March 31, 2006 |
| 151. | 5 | 45 Howe Drive, Kitchener — Shehrazad Non-Profit Housing Inc. | March 31, 2006 |

5. Schedule 29 to the Regulation is amended by adding the following items:

| | | | |
|-----|---|--|---------------|
| 35. | 5 | 35, 39, 59 Blandford Street, Woodstock — Oxford Home Guild Inc. | March 1, 2006 |
| 36. | 5 | 1025, 1035, 1045, 1055 Nesbitt Cres., Woodstock — Oxford Home Guild Inc. | March 1, 2006 |

6. Schedule 31 to the Regulation is amended by adding the following items:

| | | | |
|-----|---|---|---------------|
| 43. | 7 | 579A, B Ashburnham Drive, 519 Bolivar Street, 732 Chamberlain Street, 697A, B, C Crawford Drive, 1197 Kenneth Avenue, 220 Maxwell Avenue, 489 Park Street, 437, 439 Parkhill Road, 335 Rogers Street, 470 Rose Avenue, 48A Springbrook Drive, 18A, B, C Stornway Place, 2057 Walker Avenue, 916 Weber Avenue, Peterborough — Kawartha Native Housing Society Incorporated | March 1, 2006 |
| 44. | 7 | 585 Douglas Avenue, 218 Easthill Drive, 140 Fradette Avenue, 509 George Street, 548 Harvey Street, 134 Hazlit Street, 592 McCannon Avenue, 600, 648 McKeller Street, 720 Monaghan Road, 689 Park Street, 200, 202 Rutherford Avenue, 533 Sherbrooke Street, 587 Simmons Avenue, Peterborough — Kawartha Native Housing Society Incorporated | March 1, 2006 |
| 45. | 7 | 539 Crystal Drive, 930 Dainard Road, 2096 Foxfarm Road, 64, 66 Kawartha Heights Blvd., 282 McFerlane Street, 2141 Springwood Road, 857 Stocker Road, 2056, 2060 Walker Avenue, Peterborough — Kawartha Native Housing Society Incorporated | March 1, 2006 |
| 46. | 7 | 30 Applewood Court, 2032, 2064 Foxfarm Road, 1992 Walker Avenue, Peterborough — Kawartha Native Housing Society Incorporated | March 1, 2006 |
| 47. | 7 | 599 Braidwood Avenue, 5 Bruce Street, 928 Dainard Drive, 243 Denne Cres., 573 Douglas Avenue, 570 Hopkins Avenue, 446 McKeller Street, 423 Parkhill Road, 337 Rogers Street, 256 Romaine Street, 223 Sherin Avenue, 248 Spencley's Lane, 46A Springbrook Drive, 653 A, B, C, D Stewart Street, 1009 St. Paul's Street, 1026 Sydenham Road, 1028 Western Avenue, Peterborough — Otonabee Native Homes Inc. | March 1, 2006 |
| 48. | 7 | 464 Brioux Avenue, 942, 044 Dainard Drive, 748 Duffus Street, 2088 Foxfarm Road, 662 Gillespie Avenue, 688 Monaghan Road, 714 Mountain Ash Drive, 287 Parkhill Road, 580 Patterson Street, 480 Rose Avenue, 282 A, B, C Sherbrooke Street, 109 Sophia Street, 111 A, B Stewart Street, 2077 Walker Avenue, Peterborough — Otonabee Native Homes Inc. | March 1, 2006 |
| 49. | 7 | 17A Beechwood Drive, 279 Caddy Street, 460 Crystal Drive, 613 Downie Street, 353 Euclid Avenue, 771 Frank Street, 1070 High Street, 45B Kawartha Heights Blvd., 286 McFerlane Street, 831 Milford Drive, 995 Monaghan Road, 715 Mountain Ash Drive, 859 Stocker Road, 2121 Walker Avenue, 727 Yonge Street, Peterborough — Otonabee Native Homes Inc. | March 1, 2006 |
| 50. | 7 | 563 Armour Road, 337 Caddy Street, 1435 Clearview Drive, 537, 551 Crystal Drive, 249 Denne Cres., 618 Gillespie Avenue, 630 Little Street, 821 Milford Drive, 208 Rutherford Avenue, 246 Spencley's Lane, 2076 Walker Avenue, Peterborough — Otonabee Native Homes Inc. | March 1, 2006 |
| 51. | 7 | 1679 Applewood Cres., 2707 A, B, C, 2711A, B, C Farmcrest Avenue, 32A, B, C Lisburn Street, 12A, B, C Moir Street, 759 Mountain Ash Drive, Peterborough — Otonabee Native Homes Inc. | March 1, 2006 |

7. This Regulation comes into force on March 1, 2006.**RÈGLEMENT DE L'ONTARIO 49/06**

pris en application de la

LOI DE 2000 SUR LA RÉFORME DU LOGEMENT SOCIALpris le 1^{er} mars 2006déposé le 1^{er} mars 2006

publié sur le site Lois-en-ligne le 2 mars 2006

imprimé dans la *Gazette de l'Ontario* le 18 mars 2006

modifiant le Règl. de l'Ont. 369/01

(Transfert de l'administration de programmes de logement et d'ensembles domiciliaires)

Remarque : Le Règlement de l'Ontario 369/01 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des règlements qui se trouve sur le site www.lois-en-ligne.gouv.on.ca.

1. L'annexe 1 du Règlement de l'Ontario 369/01 est modifiée par adjonction des numéros suivants :

| | | | |
|-------|---|--|---------------------------|
| 1060. | 5 | 1 Northwestern Avenue, Toronto — Harold and Grace Baker Centre | 1 ^{er} mars 2006 |
|-------|---|--|---------------------------|

| | | | |
|-------|---|---|---------------------------|
| 1061. | 5 | 5 Hahn Place Units 301-316, 7, 9, 11, 13, 15, 17, 19 & 21 Hahn Place, 114, 116, 118, 120, 122, 124, 126 & 128 Longboat Avenue, Toronto — New Canadians from the Soviet Union Inc. | 1 ^{er} mars 2006 |
|-------|---|---|---------------------------|

2. L'annexe 5 du Règlement est modifiée par adjonction des numéros suivants :

| | | | |
|------|------|---|---------------------------|
| 230. | 5 | 690-700 Stonechurch Road West, Hamilton — Hamilton Portuguese Community Homes Inc. | 1 ^{er} mars 2006 |
| 231. | 4 | 350 King Street East, Hamilton — First Place, Hamilton | 1 ^{er} mars 2006 |
| 232. | 6 a) | 7, 11, 15, 19 & 23 Gurnett Drive, Vila Corvo, Hamilton — Hamilton Portuguese Community Homes Inc. | 1 ^{er} mars 2006 |
| 233. | 6 a) | 680 Stonechurch Road West, Vila Santa Maria, Hamilton — Hamilton Portuguese Community Homes Inc. | 1 ^{er} mars 2006 |
| 234. | 6 a) | 170 East Avenue South, Vila Sao Miguel, Hamilton — Hamilton Portuguese Community Homes Inc. | 1 ^{er} mars 2006 |

3. L'annexe 6 du Règlement est modifiée par adjonction des numéros suivants :

| | | | |
|------|---|---|---------------------------|
| 139. | 8 | 26 Bertie St., 318 Dufferin St., 240 Emerick Ave., 246 Jarvis St., 26 Keel St., 140 Murray St., 233 Phipps St., 65 Radford St., 26 Torrance St., 30 Wintemute St., Fort Erie — Ganawageh Urban Homes Inc. | 1 ^{er} mars 2006 |
| 140. | 7 | 255 Dufferin St., 331 Phipps St., 111 Stanton St., Fort Erie — Ganawageh Urban Homes Inc. | 1 ^{er} mars 2006 |
| 141. | 7 | 105 Albert St. (Front), 105 Albert St. (Rear), 212 Dufferin St., 243 Douglas St., 450 Phipps St. (Upper), 450 Phipps St. (Lower), 134 Stanton St., Fort Erie — Ganawageh Urban Homes Inc. | 1 ^{er} mars 2006 |
| 142. | 7 | 1229 Parkside Ave., 563 Fairview Rd, 1028, 1030 Daytona Dr., 664 Central Ave., Fort Erie — Ganawageh Urban Homes Inc. | 1 ^{er} mars 2006 |
| 143. | 7 | 3955 Victoria Rd., Crystal Beach — Ganawageh Urban Homes Inc. | 1 ^{er} mars 2006 |
| 144. | 7 | 172 Idylewylde St., 23 Bertie St., 961 Crescent Rd., Fort Erie, 302 Westwood Ave., Crystal Beach — Ganawageh Urban Homes Inc. | 1 ^{er} mars 2006 |
| 145. | 7 | 29, 32 Ellen St., 81 Robinson St., 5 Osborne St., 245 Dufferin St., 320 Bowen Rd., 683 Gilmore Rd., Fort Erie — Ganawageh Urban Homes Inc. | 1 ^{er} mars 2006 |
| 146. | 7 | 3647 Disher St., Ridgeway, 240 Stanton St., Fort Erie — Ganawageh Urban Homes Inc. | 1 ^{er} mars 2006 |
| 147. | 7 | 323 Phipps St., 212 Henrietta St., 397 Grandview Rd., Fort Erie — Ganawageh Urban Homes Inc. | 1 ^{er} mars 2006 |
| 148. | 7 | 3773 Disher St., Ridgeway, 382 Hellen St., Crystal Beach, 458 Parkdale Ave., 301 Bowen Rd., 17 Phipps St., Fort Erie — Ganawageh Urban Homes Inc. | 1 ^{er} mars 2006 |
| 149. | 7 | 58, 60, 66, 68 Dodds Crt., 73 Lillian St., Fort Erie — Ganawageh Urban Homes Inc. | 1 ^{er} mars 2006 |
| 150. | 7 | 33 Jennet St., 30, 34, 38 Russell St., 114 Stanton St., Fort Erie — Ganawageh Urban Homes Inc. | 1 ^{er} mars 2006 |
| 151. | 7 | 3166 Bethune Ave., 3294 Grove Ave., 3128 Poplar Ave., 3265 Jewell Ave., Ridgeway — Ganawageh Urban Homes Inc. | 1 ^{er} mars 2006 |
| 152. | 7 | 845 Crescent Rd., 422 Ferndale Ave., 22 Jessie St., Fort Erie — Ganawageh Urban Homes Inc. | 1 ^{er} mars 2006 |

4. L'annexe 10 du Règlement est modifiée par adjonction des numéros suivants :

| | | | |
|------|------|---|--------------|
| 150. | 6 a) | 31 Oprington Drive, Kitchener — Shehrazad Non-Profit Housing Inc. | 31 mars 2006 |
| 151. | 5 | 45 Howe Drive, Kitchener — Shehrazad Non-Profit Housing Inc. | 31 mars 2006 |

5. L'annexe 29 du Règlement est modifiée par adjonction des numéros suivants :

| | | | |
|-----|---|--|---------------------------|
| 35. | 5 | 35, 39, 59 Blandford Street, Woodstock — Oxford Home Guild Inc. | 1 ^{er} mars 2006 |
| 36. | 5 | 1025, 1035, 1045, 1055 Nesbitt Cres., Woodstock — Oxford Home Guild Inc. | 1 ^{er} mars 2006 |

6. L'annexe 31 du Règlement est modifiée par adjonction des numéros suivants :

| | | | |
|-----|---|---|---------------------------|
| 43. | 7 | 579A, B Ashburnham Drive, 519 Bolivar Street, 732 Chamberlain Street, 697A, B, C Crawford Drive, 1197 Kenneth Avenue, 220 Maxwell Avenue, 489 Park Street, 437, 439 Parkhill Road, 335 Rogers Street, 470 Rose Avenue, 48A Springbrook Drive, 18A, B, C Stornway Place, 2057 Walker Avenue, 916 Weber Avenue, Peterborough — Kawartha Native Housing Society Incorporated | 1 ^{er} mars 2006 |
| 44. | 7 | 585 Douglas Avenue, 218 Easthill Drive, 140 Fradette Avenue, 509 George Street, 548 Harvey Street, 134 Hazlit Street, 592 McCannon Avenue, 600, 648 McKeller Street, 720 Monaghan Road, 689 Park Street, 200, 202 Rutherford Avenue, 533 Sherbrooke Street, 587 Simmons Avenue, Peterborough — Kawartha Native Housing Society Incorporated | 1 ^{er} mars 2006 |
| 45. | 7 | 539 Crystal Drive, 930 Dainard Road, 2096 Foxfarm Road, 64, 66 Kawartha Heights Blvd., 282 McFerlane Street, 2141 Springwood Road, 857 Stocker Road, 2056, 2060 Walker Avenue, Peterborough — Kawartha Native Housing Society Incorporated | 1 ^{er} mars 2006 |

| | | | |
|-----|---|---|---------------------------|
| 46. | 7 | 30 Applewood Court, 2032, 2064 Foxfarm Road, 1992 Walker Avenue, Peterborough — Kawartha Native Housing Society Incorporated | 1 ^{er} mars 2006 |
| 47. | 7 | 599 Braidwood Avenue, 5 Bruce Street, 928 Dainard Drive, 243 Denne Cres., 573 Douglas Avenue, 570 Hopkins Avenue, 446 McKeller Street, 423 Parkhill Road, 337 Rogers Street, 256 Romaine Street, 223 Sherin Avenue, 248 Spencley's Lane, 46A Springbrook Drive, 653 A, B, C, D Stewart Street, 1009 St. Paul's Street, 1026 Sydenham Road, 1028 Western Avenue, Peterborough — Otonabee Native Homes Inc. | 1 ^{er} mars 2006 |
| 48. | 7 | 464 Brioux Avenue, 942, 044 Dainard Drive, 748 Duffus Street, 2088 Foxfarm Road, 662 Gillespie Avenue, 688 Monaghan Road, 714 Mountain Ash Drive, 287 Parkhill Road, 580 Patterson Street, 480 Rose Avenue, 282 A, B, C Sherbrooke Street, 109 Sophia Street, 111 A, B Stewart Street, 2077 Walker Avenue, Peterborough — Otonabee Native Homes Inc. | 1 ^{er} mars 2006 |
| 49. | 7 | 17A Beechwood Drive, 279 Caddy Street, 460 Crystal Drive, 613 Downie Street, 353 Euclid Avenue, 771 Frank Street, 1070 High Street, 45B Kawartha Heights Blvd., 286 McFerlane Street, 831 Milford Drive, 995 Monaghan Road, 715 Mountain Ash Drive, 859 Stocker Road, 2121 Walker Avenue, 727 Yonge Street, Peterborough — Otonabee Native Homes Inc. | 1 ^{er} mars 2006 |
| 50. | 7 | 563 Armour Road, 337 Caddy Street, 1435 Clearview Drive, 537, 551 Crystal Drive, 249 Denne Cres., 618 Gillespie Avenue, 630 Little Street, 821 Milford Drive, 208 Rutherford Avenue, 246 Spencley's Lane, 2076 Walker Avenue, Peterborough — Otonabee Native Homes Inc. | 1 ^{er} mars 2006 |
| 51. | 7 | 1679 Applewood Cres., 2707 A, B, C, 2711 A, B, C Farmcrest Avenue, 32A, B, C Lisburn Street, 12A, B, C Moir Street, 759 Mountain Ash Drive, Peterborough — Otonabee Native Homes Inc. | 1 ^{er} mars 2006 |

7. Le présent règlement entre en vigueur le 1^{er} mars 2006.

11/06

ONTARIO REGULATION 50/06

made under the

SOCIAL HOUSING REFORM ACT, 2000

Made: February 28, 2006

Filed: March 1, 2006

Published on e-Laws: March 2, 2006

Printed in *The Ontario Gazette*: March 18, 2006

Amending O. Reg. 339/01

(Housing Projects Subject to Part VI of the Act)

Note: Ontario Regulation 339/01 has previously been amended. Those amendments are listed in the Table of Regulations — Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. (1) Table 1 of Ontario Regulation 339/01 is amended by adding the following in the columns headed “Housing Project” and “Commencement Date” respectively, opposite “City of Hamilton” in the column headed “Service Manager”:

| | |
|---|---------------|
| 7, 11, 15, 19 & 23 Gurnett Drive, Vila Corvo, Hamilton — Hamilton Portuguese Community Homes Inc. | March 1, 2006 |
| 680 Stonechurch Road West, Vila Santa Maria, Hamilton — Hamilton Portuguese Community Homes Inc. | March 1, 2006 |
| 170 East Avenue South, Vila Sao Miguel, Hamilton — Hamilton Portuguese Community Homes Inc. | March 1, 2006 |

(2) Table 1 of the Regulation is amended by adding the following in the columns headed “Housing Project” and “Commencement Date” respectively, opposite “Regional Municipality of Waterloo” in the column headed “Service Manager”:

| | |
|---|----------------|
| 31 Oprington Drive, Kitchener — Shehrazad Non-Profit Housing Inc. | March 31, 2006 |
|---|----------------|

2. This Regulation comes into force on March 1, 2006.

RÈGLEMENT DE L'ONTARIO 50/06

pris en application de la

LOI DE 2000 SUR LA RÉFORME DU LOGEMENT SOCIAL

pris le 28 février 2006

déposé le 1^{er} mars 2006

publié sur le site Lois-en-ligne le 2 mars 2006

imprimé dans la *Gazette de l'Ontario* le 18 mars 2006

modifiant le Règl. de l'Ont. 339/01

(Ensembles domiciliaires visés par la partie VI de la Loi)

Remarque : Le Règlement de l'Ontario 339/01 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des règlements qui se trouve sur le site www.lois-en-ligne.gouv.on.ca.

1. (1) Le tableau 1 du Règlement de l'Ontario 339/01 est modifié par adjonction de ce qui suit dans les colonnes intitulées respectivement «Ensemble domiciliaire» et «Date d'effet» en regard de «Cité de Hamilton» dans la colonne intitulée «Gestionnaire de services» :

| | |
|---|---------------------------|
| 7, 11, 15, 19 & 23 Gurnett Drive, Vila Corvo, Hamilton — Hamilton Portuguese Community Homes Inc. | 1 ^{er} mars 2006 |
| 680 Stonechurch Road West, Vila Santa Maria, Hamilton — Hamilton Portuguese Community Homes Inc. | 1 ^{er} mars 2006 |
| 170 East Avenue South, Vila Sao Miguel, Hamilton — Hamilton Portuguese Community Homes Inc. | 1 ^{er} mars 2006 |

(2) Le tableau 1 du Règlement est modifié par adjonction de ce qui suit dans les colonnes intitulées respectivement «Ensemble domiciliaire» et «Date d'effet» en regard de «Municipalité régionale de Waterloo» dans la colonne intitulée «Gestionnaire de services» :

| | |
|---|--------------|
| 31 Oprington Drive, Kitchener — Shehrazad Non-Profit Housing Inc. | 31 mars 2006 |
|---|--------------|

2. Le présent règlement entre en vigueur le 1^{er} mars 2006.

Made by:
Pris par :

Le ministre des Affaires municipales et du Logement,

JOHN PHILIP GERRETSEN
Minister of Municipal Affairs and Housing

Date made: February 28, 2006.
Pris le : 28 février 2006.

11/06

ONTARIO REGULATION 51/06
made under the
SOCIAL HOUSING REFORM ACT, 2000

Made: March 1, 2006
Filed: March 1, 2006
Published on e-Laws: March 2, 2006
Printed in *The Ontario Gazette*: March 18, 2006

Amending O. Reg. 368/01
(General)

Note: Ontario Regulation 368/01 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. (1) Paragraph 4 of section 15 of Ontario Regulation 368/01 is revoked and the following substituted:

4. A transfer from a court-appointed receiver and manager of the property, assets and undertaking of New Canadians from the Soviet Union Inc., to the Toronto Community Housing Corporation of any interest in the real property listed in the following Table, together with the assets, liabilities, rights and obligations related to the ownership of or a leasehold interest in the real property or the operation of the real property.

TABLE

| Item | Municipal Address of Property |
|------|--|
| 1. | 5 Hahn Place Units 301-316, Toronto, Ontario |
| 2. | 7 Hahn Place, Toronto, Ontario |
| 3. | 9 Hahn Place, Toronto, Ontario |
| 4. | 11 Hahn Place, Toronto, Ontario |
| 5. | 13 Hahn Place, Toronto, Ontario |
| 6. | 15 Hahn Place, Toronto, Ontario |
| 7. | 17 Hahn Place, Toronto, Ontario |
| 8. | 19 Hahn Place, Toronto, Ontario |
| 9. | 21 Hahn Place, Toronto, Ontario |
| 10. | 114 Longboat Avenue, Toronto, Ontario |
| 11. | 116 Longboat Avenue, Toronto, Ontario |
| 12. | 118 Longboat Avenue, Toronto, Ontario |
| 13. | 120 Longboat Avenue, Toronto, Ontario |
| 14. | 122 Longboat Avenue, Toronto, Ontario |
| 15. | 124 Longboat Avenue, Toronto, Ontario |
| 16. | 126 Longboat Avenue, Toronto, Ontario |
| 17. | 128 Longboat Avenue, Toronto, Ontario |

(2) Section 15 of the Regulation is amended by adding the following paragraphs:

12. A transfer from Holy Trinity Non-Profit Residences York to Housing York Inc., of any interest in the real property municipally known as 37 Bates Way, Markham, Ontario, together with the assets, liabilities, rights and obligations related to the ownership or operation of the real property.
13. A transfer from Transitional and Supportive Housing Services of York Region to Housing York Inc. of any interest in the real property municipally known as 18338 Yonge Street North, East Gwillimbury, Ontario, and any interest in the real property municipally known as 835 Gorham Street, Newmarket, Ontario, together with the assets, liabilities, rights and obligations related to the ownership or operation of the real property.
14. A transfer from the Ottawaaska Non-Profit Housing Corporation to the Renfrew County Housing Corporation of any interest in the real property municipally known as 200 Caruso Street in Arnprior, Ontario, and any interest in the real property municipally known as 26 Spruce Crescent in Arnprior, Ontario, together with the assets, liabilities, rights and obligations related to the ownership or operation of the real property.
15. A transfer from Mintz & Partners Limited, as the court-appointed receiver and liquidator of the property, assets and undertaking of Hamilton Portuguese Community Homes Inc. to CityHousing Hamilton of any interest in the real property municipally known as 690-700 Stonechurch Road West, Hamilton, Ontario, any interest in the real property municipally known 7, 11, 15, 19 & 23 Gurnett Drive, Hamilton, Ontario, any interest in the real property municipally known 680 Stonechurch Road West, Hamilton, Ontario, and any interest in the real property municipally known 170 East Avenue South, Hamilton, Ontario, together with the assets, liabilities, rights and obligations related to the ownership or operation of the real property.

2. Table 3 of the Regulation is amended by adding the following item:

| | | |
|----|--------------------------------|----------------|
| 4. | Kenora District Services Board | City of Dryden |
|----|--------------------------------|----------------|

3. (1) Item 5 of Table 7 of the Regulation is revoked and the following substituted:

| | | | | |
|----|------------------|-------|-------|-----|
| 5. | City of Hamilton | 9,257 | 5,174 | 332 |
|----|------------------|-------|-------|-----|

(2) Item 10 of Table 7 of the Regulation is revoked and the following substituted:

| | | | | |
|-----|-----------------------------------|-------|-------|-----|
| 10. | Regional Municipality of Waterloo | 5,882 | 3,139 | 348 |
|-----|-----------------------------------|-------|-------|-----|

4. This Regulation comes into force on March 1, 2006.

RÈGLEMENT DE L'ONTARIO 51/06

pris en application de la

LOI DE 2000 SUR LA RÉFORME DU LOGEMENT SOCIAL

pris le 1^{er} mars 2006
déposé le 1^{er} mars 2006
publié sur le site Lois-en-ligne le 2 mars 2006
imprimé dans la *Gazette de l'Ontario* le 18 mars 2006

modifiant le Règl. de l'Ont. 368/01
(Dispositions générales)

Remarque : Le Règlement de l'Ontario 368/01 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des règlements qui se trouve sur le site www.lois-en-ligne.gouv.on.ca.

1. (1) La disposition 4 de l'article 15 du Règlement de l'Ontario 368/01 est abrogée et remplacée par ce qui suit :

4. Le transfert, d'un administrateur-séquestre nommé par le tribunal, des biens et des engagements de la société New Canadians from the Soviet Union Inc. à la société Toronto Community Housing Corporation, de tout intérêt sur les biens immeubles énumérés au tableau suivant, et des biens, des dettes, des droits et des obligations relatifs à la propriété ou au fonctionnement des biens immeubles ou à un intérêt à bail sur ceux-ci.

TABEAU

| Numéro | Adresse civique du bien immeuble |
|--------|--|
| 1. | 5 Hahn Place, Units 301-316, Toronto (Ontario) |
| 2. | 7 Hahn Place, Toronto (Ontario) |
| 3. | 9 Hahn Place, Toronto (Ontario) |
| 4. | 11 Hahn Place, Toronto (Ontario) |
| 5. | 13 Hahn Place, Toronto (Ontario) |
| 6. | 15 Hahn Place, Toronto (Ontario) |
| 7. | 17 Hahn Place, Toronto (Ontario) |
| 8. | 19 Hahn Place, Toronto (Ontario) |
| 9. | 21 Hahn Place, Toronto (Ontario) |
| 10. | 114 Longboat Avenue, Toronto (Ontario) |
| 11. | 116 Longboat Avenue, Toronto (Ontario) |
| 12. | 118 Longboat Avenue, Toronto (Ontario) |
| 13. | 120 Longboat Avenue, Toronto (Ontario) |
| 14. | 122 Longboat Avenue, Toronto (Ontario) |
| 15. | 124 Longboat Avenue, Toronto (Ontario) |
| 16. | 126 Longboat Avenue, Toronto (Ontario) |
| 17. | 128 Longboat Avenue, Toronto (Ontario) |

(2) L'article 15 du Règlement est modifié par adjonction des dispositions suivantes :

12. Le transfert, de la société Holy Trinity Non-Profit Residences York à la société Housing York Inc., de tout intérêt sur le bien immeuble dont la désignation civique est 37 Bates Way, Markham (Ontario), et des biens, des dettes, des droits et des obligations relatifs à la propriété ou au fonctionnement du bien immeuble.
13. Le transfert, de la société Transitional and Supportive Housing Services of York Region à la société Housing York Inc., de tout intérêt sur le bien immeuble dont la désignation civique est 18338 Yonge Street North, East Gwillimbury

(Ontario), de tout intérêt sur le bien immeuble dont la désignation civique est 835 Gorham Street, Newmarket (Ontario), et des biens, des dettes, des droits et des obligations relatifs à la propriété ou au fonctionnement des biens immeubles.

14. Le transfert, de la société Ottawaska Non-Profit Housing Corporation à la société Renfrew County Housing Corporation, de tout intérêt sur le bien immeuble dont la désignation civique est 200 Caruso Street, Arnprior (Ontario), de tout intérêt sur le bien immeuble dont la désignation civique est 26 Spruce Crescent, Arnprior (Ontario), et des biens, des dettes, des droits et des obligations relatifs à la propriété ou au fonctionnement des biens immeubles.
15. Le transfert, de la société Mintz & Partners Limited, séquestre et liquidateur nommé par le tribunal, des biens et des engagements de la société Hamilton Portuguese Community Homes Inc. à la société CityHousing Hamilton de tout intérêt sur le bien immeuble dont la désignation civique est 690-700 Stonechurch Road West, Hamilton (Ontario), de tout intérêt sur le bien immeuble dont la désignation civique est 7, 11, 15, 19 & 23 Gurnett Drive, Hamilton (Ontario), de tout intérêt sur le bien immeuble dont la désignation civique est 680 Stonechurch Road West, Hamilton (Ontario), de tout intérêt sur le bien immeuble dont la désignation civique est 170 East Avenue South, Hamilton (Ontario), et des biens, des dettes, des droits et des obligations relatifs à la propriété ou au fonctionnement des biens immeubles.

2. Le tableau 3 du Règlement est modifié par adjonction du numéro suivant :

| | | |
|----|--|----------------|
| 4. | Conseil des services du district de Kenora | Cité de Dryden |
|----|--|----------------|

3. (1) Le numéro 5 du tableau 7 du Règlement est abrogé et remplacé par ce qui suit :

| | | | | |
|----|------------------|-------|-------|-----|
| 5. | Cité de Hamilton | 9 257 | 5 174 | 332 |
|----|------------------|-------|-------|-----|

(2) Le numéro 10 du tableau 7 du Règlement est abrogé et remplacé par ce qui suit :

| | | | | |
|-----|------------------------------------|-------|-------|-----|
| 10. | Municipalité régionale de Waterloo | 5 882 | 3 139 | 348 |
|-----|------------------------------------|-------|-------|-----|

4. Le présent règlement entre en vigueur le 1^{er} mars 2006.

11/06

ONTARIO REGULATION 52/06

made under the

FISH AND WILDLIFE CONSERVATION ACT, 1997

Made: March 1, 2006

Filed: March 3, 2006

Published on e-Laws: March 6, 2006

Printed in *The Ontario Gazette*: March 18, 2006

Amending O. Reg. 665/98
(Hunting)

Note: Ontario Regulation 665/98 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Subsection 1 (3) of Ontario Regulation 665/98 is revoked and the following substituted:

(3) A reference in this Regulation to a wildlife management unit is a reference to that unit as referred to in Schedule 1 to Part 6 of Ontario Regulation 663/98 (Area Descriptions) made under the Act except that if a wildlife management unit is referred to by whole number only, the whole number includes a reference to all of the wildlife management units referred to in Schedule 1 by that number used in combination with a letter, or a letter and another number.

2. Section 51 of the Regulation is amended by adding the following subsection:

(2) In wildlife management units 30 and 31, a person who holds a licence to hunt moose shall not hunt moose that are predominantly white in colour.

3. Section 128 of the Regulation is revoked.

4. (1) Subject to subsection (2), this Regulation comes into force on the day it is filed.

(2) Sections 1 and 3 come into force on June 1, 2006.

11/06

ONTARIO REGULATION 53/06

made under the

PROVINCIAL OFFENCES ACT

Made: March 1, 2006

Filed: March 3, 2006

Published on e-Laws: March 6, 2006

Printed in *The Ontario Gazette*: March 18, 2006

Amending Reg. 950 of R.R.O. 1990

(Proceedings Commenced by Certificate of Offence)

Note: Regulation 950 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Schedule 11 to Regulation 950 of the Revised Regulations of Ontario, 1990 is revoked.

2. The Regulation is amended by adding the following Schedules:

SCHEDULE 68.1

Occupational Health and Safety Act (as it relates to Ontario Regulation 572/99)

| Item | Column 1 | Column 2 |
|------|--|-------------------|
| 1. | Supervisor failing to ensure that worker carrying out work in scheduled trade is authorized to work in that trade under <i>Trades Qualification and Apprenticeship Act</i> | clause 27 (1) (a) |

SCHEDULE 68.2

Ontario Regulation 572/99 under the *Occupational Health and Safety Act*

| Item | Column 1 | Column 2 |
|------|--|------------------|
| 1. | Worker carrying out work in scheduled trade without being authorized to work in that trade under <i>Trades Qualification and Apprenticeship Act</i> | subsection 3 (1) |
| 2. | Employer failing to ensure worker employed in scheduled trade is authorized to work in that trade under <i>Trades Qualification and Apprenticeship Act</i> | subsection 3 (2) |

3. Schedule 90 to the Regulation is revoked.

4. This Regulation comes into force on April 3, 2006.

11/06

ONTARIO REGULATION 54/06

made under the

DRUG INTERCHANGEABILITY AND DISPENSING FEE ACT

Made: March 1, 2006

Filed: March 3, 2006

Published on e-Laws: March 6, 2006

Printed in *The Ontario Gazette*: March 18, 2006

Amending Reg. 935 of R.R.O. 1990

(General)

Note: Regulation 935 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. (1) The definition of “Formulary” in subsection 1 (1) of Regulation 935 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

“Formulary” means the Ministry of Health and Long-Term Care publication titled “Drug Benefit Formulary/Comparative Drug Index” (No. 39) dated September 27, 2005, and includes the following amendments to the publication:

1. Amendments dated January 12, 2006.

2. Amendments dated April 19, 2006;

(2) Subsection 1 (1.1) of the Regulation is revoked.

(3) Section 1 of the Regulation is amended by adding the following subsection:

(1.3) For the purposes of this Regulation, item 231 of Part III of the Formulary shall be read as follows:

| | | | | |
|-----|------------------------|--|-----|---------------|
| 231 | 2.5 mg Tab | | | 4.9500 |
| | 02231384 | Femara (Letrozole) | NOV | 4.9500 |
| | Reason for Use Code | Clinical Criteria | | |
| | 365 | For the treatment of metastatic breast cancer in hormone receptor positive postmenopausal women. LU Authorization Period: Indefinite. | | |
| | 403 | For the treatment of hormone receptor positive early breast cancer in postmenopausal women who have received 5 years of adjuvant tamoxifen therapy. LU Authorization Period: 5 Years. | | |

2. This Regulation comes into force on April 19, 2006.

11/06

ONTARIO REGULATION 55/06

made under the

ONTARIO DRUG BENEFIT ACT

Made: March 1, 2006

Filed: March 3, 2006

Published on e-Laws: March 6, 2006

Printed in *The Ontario Gazette*: March 18, 2006

Amending O. Reg. 201/96
(General)

Note: Ontario Regulation 201/96 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. (1) The definition of “Formulary” is subsection 1 (1) of Ontario Regulation 201/96 is amended by adding the following paragraph:

2. Amendments dated April 19, 2006;

(2) Section 1 of the Regulation is amended by adding the following subsection:

(1.2) For the purposes of this Regulation, item 231 of Part III of the Formulary shall be read as follows:

| | | | | |
|-----|------------------------|--|-----|---------------|
| 231 | 2.5 mg Tab | | | 4.9500 |
| | 02231384 | Femara (Letrozole) | NOV | 4.9500 |
| | Reason for Use Code | Clinical Criteria | | |
| | 365 | For the treatment of metastatic breast cancer in hormone receptor positive postmenopausal women. LU Authorization Period: Indefinite. | | |

| | |
|-----|--|
| 403 | For the treatment of hormone receptor positive early breast cancer in postmenopausal women who have received 5 years of adjuvant tamoxifen therapy. LU Authorization Period: 5 Years. |
|-----|--|

2. The definition of “claim reversal” in subsection 23 (1) of the Regulation is revoked and the following substituted:
“claim reversal” means a claim submitted to the Minister to cancel a claim for payment that was previously submitted to the Minister under the Act;

3. (1) Paragraph 6 of subsection 24 (2) of the Regulation is revoked and the following substituted:

6. A claim for payment that is determined by the Ministry to be eligible for submission following a review by the Ministry or an inspection carried out under section 14 of the Act.

7. A claim for payment that is submitted in accordance with subsection 26 (3).

(2) Section 24 of the Regulation is amended by adding the following subsection:

(3) Except for claims submitted under paragraph 6 of subsection (2), claims for payment that are submitted on paper shall be submitted no more than six months from the day on which the service giving rise to the claim was provided.

4. Subsection 26 (3) of the Regulation is revoked and the following substituted:

(3) If, after a claim for payment of the acquisition cost of a listed drug product under subsection 6 (3) of the Act is submitted, the acquisition cost of the listed drug product is varied as a result of a price reduction given to the operator of the pharmacy or the physician in respect of the listed drug product, the operator of the pharmacy or the physician, as the case may be, shall submit to the Minister forthwith,

(a) a claim reversal that includes the information required under subsection (1); and

(b) a new claim for payment that includes a revised calculation of the cost of the listed drug product.

5. (1) Subject to subsection (2), this Regulation comes into force on April 19, 2006.

(2) Sections 2, 3 and 4 shall be deemed to have come into force on January 1, 2001.

11/06

NOTE: The Table of Regulations – Legislative History Overview and other tables related to regulations can be found at the e-Laws website (www.e-Laws.gov.on.ca) under Tables. Consolidated regulations may also be found at that site by clicking on Statutes and associated Regulations under Consolidated Law.

REMARQUE : On trouve le Sommaire de l'historique législatif des règlements et d'autres tables liées aux règlements sur le site Web Lois-en-ligne (www.lois-en-ligne.gouv.on.ca) en cliquant sur «Tables». On y trouve également les règlements codifiés en cliquant sur le lien Lois et règlements d'application sous la rubrique «Textes législatifs codifiés».

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2006—03—25

ONTARIO REGULATION 56/06

made under the

NIAGARA PARKS ACT

Made: January 11, 2006
Approved: March 1, 2006
Filed: March 6, 2006
Published on e-Laws: March 7, 2006
Printed in *The Ontario Gazette*: March 25, 2006

Amending Reg. 829 of R.R.O. 1990
(General)

Note: Regulation 829 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. (1) Section 1 of Regulation 829 of the Revised Regulations of Ontario, 1990 is amended by adding the following definition:

“school” means a school within the meaning of subsection 1 (1) of the *Education Act*;

(2) The definition of “sight-seeing vehicle” in section 1 of the Regulation is revoked and the following substituted:

“sight-seeing vehicle” means a motor vehicle used for the transportation of persons for compensation, as classified under subsection (2);

(3) Section 1 of the Regulation is amended by adding the following subsection:

(2) For the purposes of this Regulation, a sight-seeing vehicle comes within the class set out in Column 1 of Table 1 if it meets the description set out opposite it in Column 2.

2. Subsection 11 (2) of the Regulation is revoked and the following substituted:

(2) No person shall operate or permit the operation of a Class 1 or Class 2 sight-seeing vehicle within the Parks unless its operator holds a guide licence issued by the Commission.

3. (1) Subsection 12 (2) of the Regulation is revoked and the following substituted:

(2) A sight-seeing vehicle licence expires,

(a) on December 31 of the year in which it is issued, in the case of a licence for a Class 1 or Class 2 sight-seeing vehicle; or

(b) at the end of the day for which it is issued, in the case of a licence for a Class 3 or Class 4 sight-seeing vehicle.

(2) Subsection 12 (3) of the Regulation is amended by striking out “written consent of the Commission” at the end and substituting “written permission of the Commission”.

(3) Subsections 12 (4) and (5) of the Regulation are revoked and the following substituted:

(4) No person shall operate or permit the operation of a Class 1 or Class 2 sight-seeing vehicle in the Parks except on routes and with stops that the Commission has approved.

(5) No person shall charge, or permit to be charged, any fee to a passenger of a Class 1 or Class 2 sight-seeing vehicle for service within the Parks unless the Commission has approved the fee.

4. Subsection 17 (1) of the Regulation is revoked and the following substituted:

(1) No licence for a sight-seeing vehicle shall be issued unless the vehicle is insured under a livery service policy for loss or damage resulting from bodily injury to or the death of any person, including passengers, or from damage to property for an amount, exclusive of interest and costs, that is equal to or greater than the minimum limits required by Regulation 982 of the Revised Regulations of Ontario, 1990 (General) made under the *Public Vehicles Act* for a vehicle having the same seating capacity.

5. Section 22 of the Regulation is revoked and the following substituted:

FEES

22. (1) The fee for a guide licence is \$50.

(2) The following fees are payable for a sight-seeing vehicle licence:

1. For a Class 1 sight-seeing vehicle, \$100.
2. For a Class 2 sight-seeing vehicle, \$150.
3. For a Class 3 sight-seeing vehicle, \$40.
4. For a Class 4 sight-seeing vehicle, no fee.

6. Section 23 of the Regulation is revoked and the following substituted:

23. The licence fee for a sight-seeing vehicle is payable,

- (a) upon application for a licence, in the case of a Class 1 or Class 2 sight-seeing vehicle; or
- (b) no later than the time at which the sight-seeing vehicle enters the Parks, in the case of a Class 3 sight-seeing vehicle.

7. The Regulation is amended by adding the following Table:

TABLE 1

| Column 1 | Column 2 |
|----------|--|
| Class | Description |
| 1 | A sight-seeing vehicle operating two or more days per week on a regular schedule approved by the Commission, that is designed to carry one to six passengers. Class 1 does not include a sight-seeing vehicle conveying passengers on a trip from a school. |
| 2 | A sight-seeing vehicle operating two or more days per week on a regular schedule approved by the Commission, that is designed to carry seven or more passengers. Class 2 does not include a sight-seeing vehicle conveying passengers on a trip from a school. |
| 3 | A sight-seeing vehicle that does not operate two or more days per week on a regular schedule approved by the Commission. Class 3 does not include a sight-seeing vehicle conveying passengers on a trip from a school. |
| 4 | A sight-seeing vehicle conveying passengers on a trip from a school. |

Made by:

THE NIAGARA PARKS COMMISSION:

JIM WILLIAMS
Chair

JOHN KERNAHAN
General Manager

Date made: January 11, 2006.

12/06

ONTARIO REGULATION 57/06

made under the

CORPORATIONS TAX ACT

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Amending Reg. 183 of R.R.O. 1990
(General)

Note: Regulation 183 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Paragraphs 2 and 3 of subsection 906 (4) of Regulation 183 of the Revised Regulations of Ontario, 1990 are revoked and the following substituted:

2. If the product was completed before May 12, 2005,
 - i. all or substantially all of the product was developed in Ontario by the qualifying corporation or by the qualifying corporation and a qualifying predecessor corporation, and
 - ii. the product was developed for commercial exploitation by the qualifying corporation or by the qualifying corporation and a qualifying predecessor corporation.
3. If the product was completed after May 11, 2005,
 - i. all or substantially all of the product was developed in Ontario by the qualifying corporation or by the qualifying corporation and a qualifying predecessor corporation, and
 - ii. the product was developed for sale or licensing to one or more arm's length parties who have not previously entered into an arrangement with the qualifying corporation or a qualifying predecessor corporation for the development of the product.

12/06

ONTARIO REGULATION 58/06

made under the

CORPORATIONS TAX ACT

Made: March 1, 2006

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Amending Reg. 183 of R.R.O. 1990
(General)

Note: Regulation 183 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. (1) Subsection 905 (1) of Regulation 183 of the Revised Regulations of Ontario, 1990 is amended by adding the following definition:

“master recording” means, in respect of a sound recording, the initial sound recording that is created and fully completed and from which all copies of the sound recording are made;

(2) The definition of “sound recording” in subsection 905 (1) of the Regulation is revoked and the following substituted:

“sound recording” means a recording of music, with or without lyrics, that is produced by analogue, digital or similar technology and that is,

- (a) on a vinyl record, compact disc, digital versatile disc or audio tape, if the recording is made before May 12, 2005, or
- (b) on a vinyl record, compact disc, digital versatile disc, audio tape or any other fixed medium from which a recording is capable of being played, if the recording is made after May 11, 2005.

(3) Paragraph 2 of subsection 905 (3) of the Regulation is revoked and the following substituted:

- 2. The corporation has carried on its sound recording business,
 - i. throughout the period of 24 months that ends immediately before the beginning of the taxation year, if the taxation year ends before May 12, 2005, or
 - ii. throughout the period of 12 months that ends immediately before the beginning of the taxation year, if the taxation year ends after May 11, 2005.

(4) Subclauses 905 (3.1) (a) (i) and (ii) of the Regulation are revoked and the following substituted:

- (i) if one of the predecessor corporations has carried on its sound recording business,
 - (A) throughout the period of 24 months that ends immediately before the beginning of the taxation year, if the taxation year ends before May 12, 2005, or
 - (B) throughout the period of 12 months that ends immediately before the beginning of the taxation year, if the taxation year ends after May 11, 2005, or
- (ii) if the new corporation plus one of the predecessor corporations have, in total, carried on a sound recording business,
 - (A) throughout the period of 24 months that ends immediately before the beginning of the taxation year, if the taxation year ends before May 12, 2005, or
 - (B) throughout the period of 12 months that ends immediately before the beginning of the taxation year, if the taxation year ends after May 11, 2005.

(5) Subclauses 905 (3.2) (a) (i) and (ii) of the Regulation are revoked and the following substituted:

- (i) if the subsidiary controlled corporation has carried on its sound recording business,
 - (A) throughout the period of 24 months that ends immediately before the beginning of the taxation year, if the taxation year ends before May 12, 2005, or
 - (B) throughout the period of 12 months that ends immediately before the beginning of the taxation year, if the taxation year ends after May 11, 2005, or
- (ii) if the parent corporation and the subsidiary controlled corporation have, in total, carried on a sound recording business,
 - (A) throughout the period of 24 months that ends immediately before the beginning of the taxation year, if the taxation year ends before May 12, 2005, or
 - (B) throughout the period of 12 months that ends immediately before the beginning of the taxation year, if the taxation year ends after May 11, 2005.

(6) Paragraph 6 of subsection 905 (5) of the Regulation is amended by striking out “subsection (7)” and substituting “subsection (7) or (7.1), whichever applies.”

(7) Paragraph 2 of subsection 905 (6) of the Regulation is revoked and the following substituted:

- 2. The total playing time of the recording is,
 - i. less than 40 minutes, if the master recording in respect of the recording is completed before May 12, 2005, or
 - ii. less than 15 minutes, if the master recording in respect of the recording is completed after May 11, 2005.

(8) Subsection 905 (7) of the Regulation is amended by striking out the portion before paragraph 1 and substituting the following:

(7) For the purposes of paragraph 6 of subsection (5), an eligible sound recording company that claims a tax credit under section 43.12 of the Act in respect of a sound recording must meet the following conditions with respect to the distribution of the sound recording if the master recording for the sound recording is completed before May 12, 2005:

(9) Paragraph 1 of subsection 905 (7) of the Regulation is amended by striking out “Minister of Citizenship, Culture and Recreation” and substituting “Minister of Culture”.

(10) Section 905 of the Regulation is amended by adding the following subsection:

(7.1) For the purposes of paragraph 6 of subsection (5), if the master recording for a sound recording is completed after May 11, 2005, the eligible sound recording company that claims a tax credit under section 43.12 of the Act in respect of the sound recording must have a plan for the distribution of the recording that a person designated by the Minister of Culture considers to be appropriate for the commercial exploitation of the recording.

12/06

ONTARIO REGULATION 59/06

made under the

INCOME TAX ACT

Made: March 1, 2006

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Amending O. Reg. 330/97
(Co-operative Education Tax Credit)

Note: Ontario Regulation 330/97 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. The definition of “qualifying leading edge technology education program” in section 1 of Ontario Regulation 330/97 is amended by striking out “apprentice training program” in the portion before paragraph 1 and in paragraphs 2 and 3 and substituting in each case “apprenticeship program”.

2. (1) Subsection 2 (2) of the Regulation is amended by striking out “vocational schools registered under the *Private Vocational Schools Act*” and substituting “private career colleges registered under the *Private Career Colleges Act*”.

(2) Subsection 2 (3) of the Regulation is amended by striking out “apprentice training program” and substituting “apprenticeship program”.

3. (1) Paragraph 1 of subsection 4 (1.2) of the Regulation is amended by striking out “apprentice training program” in the portion before subparagraph i and substituting “apprenticeship program”.

(2) Paragraph 2 of subsection 4 (1.2) of the Regulation is amended by striking out “apprentice training program” and substituting “apprenticeship program”.

(3) Paragraph 4 of subsection 4 (1.2) of the Regulation is amended by striking out “subsections (2.1) and (2.2)” and substituting “subsections (2.1), (2.2) and 4.1 (3)”.

(4) Subclause 4 (2.1.1) (a) (i) and subsection 4 (2.2) of the Regulation are amended by striking out “apprentice training program” wherever it appears and substituting in each case “apprenticeship program”.

4. The Regulation is amended by adding the following sections:

TRANSITIONAL RULES — 2004 ONTARIO BUDGET

4.1 (1) This section applies to a work placement that would otherwise be a qualifying leading edge technology work placement under section 4 if,

- (a) the work placement ended after May 18, 2004;
 - (b) the work placement was under an apprenticeship program; and
 - (c) on May 19, 2004, the student employed in the work placement was in the first 36 months of a qualifying leading edge technology education program.
- (2) No portion of the work placement that was after May 18, 2004 shall be a qualifying work placement.

(3) If the work placement commenced after March 10, 2004, the portion of the work placement before May 19, 2004 shall be deemed to be a qualifying leading edge technology work placement, despite the number of weeks in that portion of the work placement, if the student was employed in that portion of the work placement for an average of at least 24 hours a week.

4.2 (1) Subject to subsection (2), a work placement that would otherwise be a qualifying leading edge technology work placement under section 4 is not a qualifying leading edge technology work placement if,

- (a) the initial work placement of the student with the employer commenced after May 18, 2004; and
- (b) the work placement was under an apprenticeship program.

(2) Subsection (1) does not apply in respect of a work placement of a student who was in an apprenticeship program on May 19, 2004 if the student was not in the first 36 months of a qualifying leading edge technology education program on that day.

4.3 A work placement that would otherwise be a qualifying leading edge technology work placement under section 4 is not a qualifying leading edge technology work placement if the student was first employed with the employer after October 25, 2004 and,

- (a) the work placement was not under an apprenticeship program; or
- (b) the work placement was under an apprenticeship program but, on May 19, 2004, the student employed in the work placement was not in the first 36 months of a qualifying leading edge technology education program.

5. (1) Subsection 5 (1) of the Regulation is amended by striking out the portion before paragraph 1 and substituting the following:

(1) Subject to subsection (1.1), the following amounts paid or payable by an eligible employer in respect of a qualifying work placement are eligible expenditures for a taxation year for the purposes of section 8.2 of the Act and this Regulation:

(2) Paragraph 1 of subsection 5 (1) of the Regulation is amended by striking out “paid to the student” in the portion before subparagraph i and substituting “paid or payable to the student”.

(3) Subparagraph 1 ii of subsection 5 (1) of the Regulation is amended by striking out “included in the income” and substituting “included, when paid, in the income”.

(4) Paragraph 2 of subsection 5 (1) of the Regulation is amended by striking out “paid to an eligible educational institution or to an employment agency” and substituting “paid or payable to an employment agency”.

(5) Section 5 of the Regulation is amended by adding the following subsection:

(1.1) The following amounts are not eligible expenditures for the purposes of section 8.2 of the Act and this Regulation:

1. An amount paid or payable in respect of services performed after December 31, 2004 by a student who was employed in a qualifying leading edge technology work placement before October 26, 2004 if,
 - i. the work placement was not under an apprenticeship program, or
 - ii. the work placement was under an apprenticeship program but, on May 19, 2004, the student employed in the work placement was not in the first 36 months of a qualifying leading edge technology education program.
2. An amount paid or payable in respect of services performed after May 18, 2004 by a student who was in a qualifying leading edge technology education program on May 18, 2004 if,
 - i. the work placement was under an apprenticeship program, and
 - ii. on May 19, 2004, the student was in the first 36 months of a qualifying leading edge technology education program.

ONTARIO REGULATION 60/06

made under the

CORPORATIONS TAX ACT

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Amending Reg. 183 of R.R.O. 1990
(General)

Note: Regulation 183 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. (1) Subsection 101 (1) of Regulation 183 of the Revised Regulations of Ontario, 1990 is amended by adding the following definition:

“Canadian fossil fuel source” means,

- (a) a natural accumulation of petroleum or natural gas in Canada that is not a mineral resource in Canada,
- (b) an oil or gas well in Canada, or
- (c) a bituminous sands deposit or oil shale deposit that is a mineral resource in Canada;

(2) The definition of “Canadian oil or gas resource property” in subsection 101 (1) of the Regulation is revoked and the following substituted:

“Canadian oil or gas resource property” means a Canadian resource property,

- (a) that is described in paragraph (a), subparagraph (b) (i) or paragraph (c) or (d) of the definition of “Canadian resource property” in subsection 66 (15) of the *Income Tax Act* (Canada),
- (b) that would be property described in subparagraph (b) (ii) or paragraph (e) or (f) of that definition if the only mineral resource referred to in that subparagraph or paragraph were a petroleum deposit, or
- (c) that is a right to or interest in any property described in clause (a) or (b);

(3) Subsection 101 (1) of the Regulation is amended by adding the following definitions:

“Canadian resource property” has the meaning given to that expression by subsection 66 (15) of the *Income Tax Act* (Canada);

“Crown entity” means a person referred to in subclause 11.0.1 (3) (a) (i), (ii) or (iii) of the Act;

(4) The definition of “disposition of property” in subsection 101 (1) of the Regulation is revoked.

(5) Clause (k) of the definition of “earned depletion base” in subsection 101 (1) of the Regulation is revoked and the following substituted:

- (k) the amount, if any, by which the sum of all amounts that would be determined at the particular time under clauses 109 (2) (b) and (c), as those clauses read on May 6, 1997, exceeds the sum of all amounts that would be determined at the particular time under clause 109 (2) (a), as that clause read on May 6, 1997;

(6) Subsection 101 (1) of the Regulation is amended by adding the following definition:

“fossil fuel” means petroleum, natural gas or a related hydrocarbon;

(7) Subsection 101 (1) of the Regulation is amended by adding the following definitions:

“gross resource profits from oil or gas operations” means, in respect of a corporation for a taxation year, the amount determined for the corporation for the taxation year under subsection (1.1);

“oil or gas resource activity” means,

- (a) the production of fossil fuel or sulphur from,
 - (i) oil or gas wells in Canada,
 - (ii) a natural accumulation of petroleum or natural gas in Canada, or
 - (iii) petroleum deposits in Canada,

- (b) the processing in Canada of heavy crude oil recovered from an oil or gas well in Canada to any stage that is not beyond the crude oil stage or its equivalent,
- (c) ownership of a right to a rental or royalty computed by reference to the amount or value of production from a property in Canada that is a natural accumulation of petroleum or natural gas, an oil or gas well or a petroleum deposit, or
- (d) Canadian field processing;

(8) Subsection 101 (1) of the Regulation is amended by adding the following definition:

“production royalty” means, in respect of a corporation, an amount in respect of a particular Canadian resource property that is included in computing the corporation’s income as a rental or royalty computed by reference to the amount or value of fossil fuel produced from a Canadian fossil fuel source if,

- (a) the corporation has a Crown royalty in respect of,
 - (i) the production of fossil fuel from the Canadian fossil fuel source, or
 - (ii) the ownership of property to which the production relates and the Crown royalty is computed by reference to an amount of production from the Canadian fossil fuel source, and it is reasonable to consider that the corporation would have had the Crown royalty if the corporation’s only source of income had been the rental or royalty in respect of the particular property, or
- (b) the corporation would have a Crown royalty described in clause (a) but for an exemption or allowance, other than a rate of nil, that is provided under a statute by a Crown entity;

(9) Subsection 101 (1) of the Regulation is amended by adding the following definition:

“resource profits from oil or gas operations” means, in respect of a corporation for a taxation year, the amount determined for the corporation for the taxation year under subsection (1.3);

(10) Subsection 101 (1) of the Regulation is amended by adding the following definition:

“specified royalty” means a royalty,

- (a) the cost of which is a Canadian development expense for the purposes of the Act, and
- (b) that was created after December 5, 1996, otherwise than pursuant to an agreement in writing made on or before that date, as part of a transaction or event or series of transactions or events as a consequence of which depreciable property was acquired at a capital cost that was less than the amount that would have been the fair market value of the depreciable property determined without regard to the royalty;

(11) Section 101 of the Regulation is amended by adding the following subsections:

(1.1) A corporation’s gross resource profits from oil or gas operations for a taxation year for the purposes of this Part is calculated using the formula,

$$A + B$$

where,

“A” is the amount, if any, by which the sum of “C” and “D” exceeds “E”,

“B” is the amount, if any, by which the sum of “F”, “G” and “H” exceeds “I”,

“C” is the sum of all amounts, if any, that are included in computing the corporation’s income for the year from the disposition of a Canadian oil or gas resource property by reason of,

- (a) subsection 59 (2) of the *Income Tax Act* (Canada), as it would apply for the purposes of the Act if it were read without reference to subsection 64 (1) of the *Income Tax Act*, Revised Statutes of Canada, 1952, chapter 148, or
- (b) paragraph 59 (3.2) (b) or 59.1 (b) of the *Income Tax Act* (Canada), as made applicable by section 15 of the Act,

“D” is the amount, if any, by which the amount included in computing the corporation’s income for the year from the disposition of a Canadian oil or gas resource property by reason of paragraph 59 (3.2) (c) of the *Income Tax Act* (Canada), as made applicable by section 15 of the Act, exceeds the proceeds of disposition of properties described in subparagraph (b) (i) of the definition of “Canadian resource property” in subsection 66 (15) of the *Income Tax Act* (Canada) that became receivable by the corporation after December 31, 1982 and before the end of the year, to the extent that the proceeds have not been deducted for a prior taxation year in determining the amount of “D” or the amount under subclause (a) (ii) of the definition of “gross resource profits from oil or gas operations” in subsection (1), as that definition read before May 7, 1997,

“E” is the sum of all amounts, if any, deducted in computing the corporation’s income for the year by reason of paragraph 59.1 (a) of the *Income Tax Act* (Canada), as made applicable by subsection 15 (1) of the Act, in respect of a disposition of a Canadian oil or gas resource property,

"F" is its total income for the taxation year from,

- (a) the production in Canada of fossil fuel or sulphur from,
 - (i) oil or gas wells in Canada operated by it,
 - (ii) natural accumulations of petroleum or natural gas in Canada operated by it, or
 - (iii) petroleum deposits in Canada operated by it,
- (b) the processing in Canada of heavy crude oil recovered from an oil or gas well in Canada to any stage that is not beyond the crude oil stage or its equivalent, and
- (c) Canadian field processing,

"G" is the sum of all amounts, if any, each of which is included in computing the corporation's income for the year in respect of a rental or royalty that is computed by reference to the amount or value of production from a property in Canada that is a natural accumulation of petroleum or natural gas, an oil or gas well or a petroleum deposit and from which a person had a right to take or remove fossil fuel,

"H" is, if the corporation owns all the issued and outstanding shares of the capital stock of a railway company throughout the year, the amount that may reasonably be considered to be the railway company's income for its taxation year ending in the year from the transportation of the corporation's fossil fuel or sulphur from petroleum deposits in Canada operated by the corporation,

"I" is the sum of the corporation's losses, if any, for the year from sources described in "F".

(1.2) For the purposes of subsection (1.1), a corporation's incomes and losses for a taxation year from sources described in "F" and "G" in that subsection shall be computed in accordance with the Act on the assumption that the corporation had no income or loss for the year except from those sources and was allowed no deductions in computing its income for the year other than,

- (a) amounts deducted or deductible for the year under section 18, 19 or 21 of the Act that are not in respect of property described in subparagraph (b) (i) of the definition of "Canadian resource property" in subsection 66 (15) of the *Income Tax Act* (Canada);
- (b) amounts deducted or deductible for the year under subsection 17 (2) or (6) or section 29 of *The Corporations Tax Application Rules, 1972*; and
- (c) any other deductions for the year, except a deduction under section 103, subsection 104 (2) or section 106, that may reasonably be regarded as applicable to those sources.

(1.3) A corporation's resource profits from oil or gas operations for a taxation year for the purposes of this Part is the amount, if any, calculated using the formula,

$$J - (K + L + P)$$

where,

"J" is the amount of the corporation's gross resource profits from oil or gas operations for the year as determined under subsection (1.1),

"K" is the sum of all amounts deducted in computing the corporation's income for the year other than,

- (a) an amount already deducted in computing the corporation's gross resource profits from oil or gas operations for the year,
- (b) an amount deducted for the year under,
 - (i) paragraph 20 (1) (ss) or (tt) of the *Income Tax Act* (Canada), as made applicable by subsection 11 (1) of the Act,
 - (ii) section 60 of the *Income Tax Act* (Canada), as made applicable by section 16 of the Act,
 - (iii) section 103 of this Regulation,
 - (iv) subsection 1202 (2) of the regulations made under the *Income Tax Act* (Canada), as made applicable by subsection 104 (2) of this Regulation, or
 - (v) subsection 106 (1) of this Regulation,
- (c) an amount deducted under section 66.2 of the *Income Tax Act* (Canada), as made applicable by section 19 of the Act, in computing the corporation's income for the year to the extent the amount is attributable to a right, licence or privilege to store fossil fuel underground in Canada,

- (d) an amount deducted in computing income for the year from a business or other source that does not include any oil or gas resource activity of the corporation, and
- (e) an amount deducted in computing the corporation's income for the year to the extent that the amount,
 - (i) relates to an activity, other than an oil or gas resource activity of the corporation, that is,
 - (A) the production, processing, manufacturing, distribution, marketing, transportation or sale of any property,
 - (B) the rendering of a service by the corporation to another person for the purpose of earning income of the corporation, or
 - (C) another activity carried out for the purpose of earning income from property, and
 - (ii) does not relate to an oil or gas resource activity of the corporation,

"L" is the sum of all amounts each of which is the amount, if any, by which "M" exceeds "N",

"M" is the amount that would have been charged to the corporation by a person or partnership with whom the corporation was not dealing at arm's length, if the corporation and that person or partnership had been dealing at arm's length,

- (a) for the use in the year of a property, other than money, owned by that person or partnership, or
- (b) for the provision in the year by that person or partnership of a service to the corporation,

"N" is the sum of,

- (a) the amount charged to the corporation for the use in that period of the property referred to in the definition of "M" or for the provision in that period of the service referred to in the definition of "M", and
- (b) the portion of the amount described in the definition of "M" that, if it had been charged, would not have been deductible in computing the corporation's resource profits from oil or gas operations, and

"P" is the sum of all amounts added under subsection 80 (13) of the *Income Tax Act* (Canada), as made applicable by subsection 26 (1) of the Act, in computing the corporation's gross resource profits from oil or gas operations for the year.

(12) Section 101 of the Regulation is amended by adding the following subsection:

(4) The following rules apply for the purposes of calculating the amount of a corporation's gross resource profits from oil or gas operations for a taxation year under subsection (1.1):

1. The corporation's income or loss from a source described in the definition of "F" in that subsection does not include any of the following:
 - i. Any income or loss derived from transporting, transmitting or processing fossil fuel or sulphur, other than the income or loss, if any, from processing described in clause (b) of the definition of "F" in subsection (1.1).
 - ii. Any income or loss arising because of the application of paragraph 12 (1) (z.1), (z.2) or (z.5) of the *Income Tax Act* (Canada), as made applicable by subsection 11 (1) of the Act, or section 107.3 of the *Income Tax Act* (Canada), as made applicable by subsection 32 (1) of the Act.
 - iii. Any income or loss that can reasonably be attributable to a service rendered by the corporation, other than processing described in clause (b) or (c) of the definition of "F" in subsection (1.1).
2. If the corporation has income from a source described in the definition of "C", "D", "E" or "F" in subsection (1.1) and also has income from another source, the amounts referred to in clauses (1.2) (a) and (b) shall not include any amount that is not in respect of expenses incurred in oil or gas operations.

(13) Subparagraph 1 ii of subsection 101 (4) of the Regulation, as made by subsection (12), is revoked and the following substituted:

- ii. If the taxation year ends after December 31, 2002, any income or loss arising because of the application of paragraph 12 (1) (z.1) or (z.2) of the *Income Tax Act* (Canada), as made applicable by subsection 11 (1) of the Act, section 107.3 of the *Income Tax Act* (Canada), as made applicable by subsection 32 (1) of the Act, or subsection 11.0.1 (4) of the Act.

(14) Section 101 of the Regulation is amended by adding the following subsection:

(5) The following rules apply for the purposes of the definition of "oil or gas resource activity" in subsection (1):

1. The production of a substance by a corporation includes exploration and development activities of the corporation with respect to the substance, whether or not extraction of the substance has begun or will ever begin.

2. The production or processing of a substance by a corporation, or both, include activities performed by the corporation that are ancillary to or in support of the production or processing of that substance by the corporation.
3. The production or processing of a substance by a corporation, or both, includes an activity, including the ownership of property, that is undertaken before the extraction of the substance and that is undertaken for the purpose of extracting or processing the substance.
4. The production or processing of a substance by a corporation, or both, includes activities that the corporation undertakes as a consequence of producing or processing that substance, whether or not the production or processing of the substance has ceased.
5. Despite clauses (a), (b), (c) and (d) of the definition of "oil or gas resource activity" in subsection (1) and paragraphs 1 to 4, neither production nor processing of a substance includes any activity included in production or processing described in the definition of "F" in subsection (1.1) if,

- i. the activity,

- A. is the transporting, transmitting or processing of fossil fuel or sulphur, other than processing described in clause (b) of the definition of "oil or gas resource activity" in subsection (1), or

- B. can reasonably be attributed to a service rendered by the corporation, and

- ii. revenue from the activity is not taken into account in determining the amount of the corporation's gross resource profits from oil or gas operations under subsection (1.1).

(15) Subsection 101 (6) of the Regulation is amended by striking out the portion before clause (a) and substituting the following:

(6) For the purposes of this Part, other than sections 108 and 108.4, if a corporation is a member of a partnership at the end of a fiscal period of the partnership,

(16) Clause 101 (6) (a) of the Regulation is revoked and the following substituted:

(a) the corporation's share of the partnership's resource profits from oil or gas operations for the fiscal period shall be included in computing the corporation's resource profits from oil or gas operations for the taxation year of the corporation in which the fiscal period ended;

(17) Subsection 101 (9) of the Regulation is revoked and the following substituted:

(9) If an expense of a type prescribed by subsection (9.1) was incurred by an entity after the end of a corporation's last taxation year ending before April 20, 1977 was renounced after 1981 in favour of the corporation and was deemed to be an expense of the corporation for the purposes of subsection 18 (5) or (6) of the Act, the expense, if it is not an amount in respect of financing,

(a) shall be deemed for the purposes of the definition of "earned depletion base" in subsection (1) to have been the same type of expense and to have been incurred by the corporation at the time the expense was incurred by the joint exploration corporation; and

(b) shall be deemed for the purposes of section 108 and for the purposes of determining the amount of the corporation's resource profits from oil or gas operations to have been the same type of expense and to have been incurred by the corporation at the time it was deemed to have been incurred for the purposes of subsection 18 (5) or (6) of the Act.

(9.1) The following types of expenses are prescribed for the purposes of subsection (9):

1. A Canadian exploration and development expense, other than the cost of a Canadian resource property acquired by a joint exploration corporation.
2. A Canadian exploration expense.
3. A Canadian development expense, other than an amount referred to in paragraph (e) of the definition of "Canadian development expense" in subsection 66.2 (5) of the *Income Tax Act* (Canada).

(18) Subsection 101 (14) of the Regulation is revoked.

(19) Section 101 of the Regulation is amended by adding the following subsection:

(15) The following rules apply in determining the amount of a corporation's resource profits from oil or gas operations for a taxation year under subsection (1.3):

1. A corporation is considered not to deal at arm's length with a partnership if the corporation does not deal at arm's length with any member of the partnership.

2. A partnership is considered not to deal at arm's length with another partnership if any member of the first partnership does not deal at arm's length with any member of the second partnership.
3. If a corporation is a member, or is deemed by this paragraph to be a member, of a partnership that is a member of another partnership, the corporation is deemed to be a member of the other partnership.
4. The provision of a service to a corporation does not include the provision of a service by an individual in the individual's capacity as an employee of the corporation.

(20) Section 101 of the Regulation is amended by adding the following subsection:

(16) For the purposes of the definition of "production royalty" in subsection (1), each of the following amounts is a Crown royalty of a corporation in respect of the production of fossil fuel from a Canadian fossil fuel source or in respect of the ownership of property to which the production relates:

1. An amount included in computing the corporation's income for a taxation year under subsection 11.0.1 (3) of the Act in respect of the production or ownership less all reimbursements, contributions and allowances referred to in section 80.2 of the *Income Tax Act* (Canada) that are received or receivable by the corporation in respect of that amount.
2. An amount in respect of the production or ownership that is prescribed in section 108.2 for the purposes of subsection 11.0.1 (3) of the Act less all reimbursements, contributions and allowances referred to in section 80.2 of the *Income Tax Act* (Canada) that are received or receivable by the corporation in respect of that amount.
3. An amount that is not deductible in respect of the production or ownership in computing the corporation's income for a taxation year by reason of subsection 11.0.1 (5) of the Act less all reimbursements, contributions and allowances referred to in section 80.2 of the *Income Tax Act* (Canada) that are received or receivable by the corporation in respect of that amount.
4. An amount in respect of the production or ownership that is prescribed by section 108.2 for the purposes of subsection 11.0.1 (5) of the Act less all reimbursements, contributions and allowances referred to in section 80.2 of the *Income Tax Act* (Canada) that are received or receivable by the corporation in respect of that amount.
5. An amount by which the corporation's proceeds of disposition of the fossil fuel are increased under subsection 108.4 (1).
6. An amount by which the corporation's cost of acquisition of the fossil fuel is reduced under subsection 108.4 (4).

(21) Paragraphs 1, 2, 3 and 4 of subsection 101 (16) of the Regulation, as made by subsection (20), are amended by striking out "section 80.2 of the *Income Tax Act* (Canada)" wherever it appears and substituting in each case "subsection 26 (6) of the Act".

2. (1) Clause 103 (1) (a) of the Regulation is revoked and the following substituted:

- (a) 25 per cent of the amount, if any, by which the corporation's resource profits from oil or gas operations for the taxation year, if the year ends after December 31, 1998, exceed four times the sum of the amounts, if any, deducted in computing the corporation's income for that year under subsection 1202 (2) of the regulations made under the *Income Tax Act* (Canada), as made applicable by subsection 104 (2); and

(2) Subsections 103 (2) and (3) of the Regulation are revoked.

3. (1) Clause 108 (a) of the Regulation is revoked and the following substituted:

- (a) if the taxation year commences after May 6, 1997 and ends before January 1, 2003, the amount, if any, that would be determined in respect of the corporation for the year under subsection 1210 (1) of the regulations made under the *Income Tax Act* (Canada) if the corporation's adjusted resource profits for the year were determined under subsection 1210 (2) of those regulations and paragraph (c) of the definition of "A" in that subsection were applied on the basis that,
 - (i) an amount that is deducted in computing income under any provision of the *Income Tax Act* (Canada) that applies with or without modifications for the purposes of the *Corporations Tax Act* is calculated as the amount deducted in computing income for the purposes of the *Corporations Tax Act* under the provision as it applies for the purposes of that Act, if the deduction under the provision of the *Income Tax Act* (Canada) is not prohibited under paragraph (c) of the definition of "A" in subsection 1210 (2) of those regulations,
 - (ii) an amount that is deducted in computing income under a provision of the Act that applies instead of a comparable provision of the *Income Tax Act* (Canada) is deducted instead of the amount determined under the comparable provision of the *Income Tax Act* (Canada), if the deduction under the comparable provision of the *Income Tax Act* (Canada) is not prohibited under paragraph (c) of the definition of "A" in subsection 1210 (2) of those regulations, and
 - (iii) an amount that is deducted in computing income under a provision of the Act where there is no comparable provision in the *Income Tax Act* (Canada) is deducted under that Act; and

(2) Section 108 of the Regulation is amended by striking out “and” at the end of clause (a) and by adding the following clause:

(a.1) if the taxation year ends after December 31, 2002, the amount, if any, determined in respect of the corporation for the year under subsection (2); and

(3) Section 108 of the Regulation is amended by adding the following subsections:

(2) The amount determined under this subsection in respect of a corporation for a taxation year ending after December 31, 2002 is the amount, if any, calculated using the formula,

$$[0.25 \times (Q - R)] - S$$

where,

“Q” is the corporation’s adjusted resource profits for the year, as determined under this section,

“R” is the total of all amounts each of which is a Canadian exploration and development overhead expense made or incurred by the corporation in the year, other than an amount that is a Canadian exploration and development overhead expense because it is deemed to be a Canadian exploration expense or a Canadian development expense under subsection 21 (2) or (4) of the *Income Tax Act* (Canada), and

“S” is the amount, if any, determined under subsection (3) in respect of the corporation for the year.

(3) The amount determined under this subsection in respect of a corporation for a taxation year is the amount, if any, by which “T” exceeds “U” where,

“T” is the total of all amounts determined under paragraphs 1205 (1) (e) to (k) of the regulations made under the *Income Tax Act* (Canada) in computing the corporation’s earned depletion base at the end of the year, as determined under section 1205 of those regulations, other than any portion of that total determined under paragraph 1205 (1) (i) of those regulations as a consequence of a disposition in the year of property in circumstances in which subsection 1202 (2) of those regulations applies, and

“U” is the amount equal to 33 1/3 per cent of the total of all amounts determined under paragraphs 1205 (1) (a) to (d.2) of the regulations made under the *Income Tax Act* (Canada) in computing the corporation’s earned depletion base at the end of the year, as determined under section 1205 of those regulations.

(4) A corporation’s adjusted resource profits for a taxation year for the purposes of this section is the amount, which may be a positive or negative amount, calculated using the formula,

$$V + W - X$$

where,

“V” is the amount of the corporation’s resource profits for the year, as determined under subsection (5),

“W” is the total of all amounts each of which is the designated percentage, as determined under subsection (7), of the corporation’s share for the year of the adjusted resource profits of a partnership, as determined under subsection (6), for a fiscal period of the partnership ending in the year, and

“X” is the amount, if any, by which the sum of “Y” and “Z” exceeds the amount of “AA” where,

“Y” is the total of all amounts each of which is an amount, other than a production royalty or a specified royalty, that is included in the corporation’s gross resource profits for the year under subsection 1204 (1) of the regulations made under the *Income Tax Act* (Canada) as a rental or royalty computed by reference to the amount or value of fossil fuel produced from a Canadian fossil fuel source,

“Z” is 50 per cent of all amounts in respect of specified royalties that are included in the corporation’s gross resource profits for the year under subsection 1204 (1) of the regulations made under the *Income Tax Act* (Canada), and

“AA” is the total of all outlays and expenses that were made or incurred in respect of the amounts included in the calculation of “Y”, to the extent the outlays and expenses were deducted in computing the corporation’s gross resource profits for the year under subsection 1204 (1) of the regulations made under the *Income Tax Act* (Canada).

(5) The amount of a corporation’s resource profits for a taxation year for the purposes of this section is the amount that would be determined in respect of the corporation for the year under subsection 1204 (1.1) of the regulations made under the *Income Tax Act* (Canada) if the following rules applied:

1. In determining the corporation’s gross resource profits for the year under subsection 1204 (1) of those regulations,
 - i. no amount shall be included under paragraph 1204 (1) (a) of those regulations, and

- ii. no amount shall be included in the corporation's income for the year from the processing in Canada of ore described in clause 1204 (1) (b) (iv) (A), (B) or (C) of those regulations.
 - 2. References to a resource activity in subparagraph 1204 (1.1) (a) (iv), subclause 1204 (1.1) (a) (v) (A) (1) and clause 1204 (1.1) (a) (v) (B) of those regulations shall be read as references to a resource activity other than an activity described in paragraph (d) of the definition of "resource activity" in subsection 1206 (1) of those regulations.
 - 3. The corporation's gross resource profits for the year under subsection 1204 (1) of those regulations and its resource profits for the year under subsection 1204 (1.1) of those regulations shall be determined on the basis that,
 - i. no amount is deductible in computing the corporation's income for the year in respect of a rental or royalty that is paid or payable by the corporation and computed by reference to the amount or value of fossil fuel produced from a Canadian fossil fuel source, other than an amount in respect of a rental or royalty described in paragraph 1, 2, 3 or 4 of section 108.2, an amount that is a production royalty or an amount paid or payable in respect of a specified royalty,
 - ii. no amount is deductible in computing the corporation's income for the year under paragraph 20 (1) (e), (e.1), (e.2) or (f) of the *Income Tax Act* (Canada) or as, on account of or in lieu of, interest in respect of a debt owed by the corporation,
 - iii. no amount is deductible in computing the corporation's income under paragraph 20 (1) (v.1) of the *Income Tax Act* (Canada), any of sections 65 to 66.7 of that Act, subsection 17 (2) or (6) of the *Income Tax Application Rules* or section 29 of those Rules,
 - iv. section 11.0.1 and subsection 31 (1.2) of the Act apply in computing the corporation's income for the year,
 - v. an amount that is deducted in computing income under any provision of the *Income Tax Act* (Canada) that applies with or without modifications for the purposes of the *Corporations Tax Act* shall be calculated as the amount deducted in computing income for the purposes of the *Corporations Tax Act* under the provision as it applies for the purposes of that Act, if the deduction under the provision of the *Income Tax Act* (Canada) is not prohibited under subparagraph i, ii or iii,
 - vi. an amount that is deducted in computing income under a provision of the Act that applies instead of a comparable provision of the *Income Tax Act* (Canada) shall be deducted instead of the amount determined under the comparable provision of the *Income Tax Act* (Canada), if the deduction under the comparable provision of the *Income Tax Act* (Canada) is not prohibited under subparagraph i, ii or iii, and
 - vii. an amount that is deducted in computing income under a provision of the Act where there is no comparable provision in the *Income Tax Act* (Canada) shall be considered to have been deducted under the *Income Tax Act* (Canada).
 - 4. The corporation's share of the income or loss of a partnership from any source shall be deemed to be nil.
 - 5. Each of subsections 1204 (1) and (1.1) of the regulations made under the *Income Tax Act* (Canada) shall be deemed to allow the computation of a negative amount if the sum of the amounts deducted under the subsection exceeds the sum of the amounts added under that subsection.
- (4) Paragraph 3 of subsection 108 (5) of the Regulation, as made by subsection (3), is amended by adding the following subparagraph:**
- iv.1 subsections 26 (4.1), (6) and (7) of the Act apply in computing the corporation's income for the year, if the year begins after December 31, 2006,
- (5) Section 108 of the Regulation is amended by adding the following subsection:**
- (6) For the purposes of the definition of "W" in subsection (4), a corporation's share for a taxation year ending after December 31, 2002 of a particular partnership's adjusted resource profits for a fiscal period ending in the year is determined as follows:
- 1. If the corporation does not hold a direct interest in the particular partnership at the end of the fiscal period, the corporation's share of the partnership's adjusted resource profits is deemed to be nil.
 - 2. If the corporation holds a direct interest in the particular partnership at the end of the fiscal period, the corporation's share of the partnership's adjusted resource profits is the amount that may reasonably be considered to represent the corporation's share of the partnership's adjusted resource profits for the fiscal period, determined under subsection (4) as if,
 - i. the particular partnership and every other partnership in which the corporation has an indirect interest through the particular partnership were corporations, each having a taxation year that is the same as its fiscal period,
 - ii. subparagraph 3 iv of subsection (5) applies to the particular partnership, but only if the corporation is a majority interest partner in that partnership at the end of the fiscal period,

- iii. subparagraph 3 iv of subsection (5) applies to another partnership in which the corporation held an indirect interest through the particular partnership, but only if the corporation is a majority interest partner in the particular partnership at the end of the fiscal period and is a majority interest partner in the other partnership at any time in the fiscal period,
- iv. subparagraphs 3 v, vi and vii of subsection (5) do not apply, and
- v. the designated percentage for the purposes of subsection (4) in respect of each partnership's interest in another partnership were 100 per cent.

(6) Subparagraphs 2 ii and iii of subsection 108 (6) of the Regulation, as made by subsection (5), are amended by striking out "subparagraph 3 iv of subsection (5) applies" wherever it appears and substituting in each case "subparagraphs 3 iv and iv.1 of subsection (5) apply".

(7) Section 108 of the Regulation is amended by adding the following subsections:

(7) For the purposes of the definition of "W" in subsection (4), the designated percentage of a corporation's share for a taxation year of the adjusted resource profits of a partnership for a fiscal period ending in the year is determined as follows:

1. The corporation's designated percentage is 100 per cent if the corporation holds a direct interest in and is a majority interest partner of the partnership at the end of the fiscal period and does not have, through that partnership, an indirect interest in another partnership, other than,
 - i. a partnership of which the corporation is a majority interest partner at any time in the fiscal period, or
 - ii. a partnership that carries on no resource activity as defined in subsection 1204 (6) of the regulations made under the *Income Tax Act* (Canada).
2. If the fiscal period begins before January 1, 2007 and the corporation holds a direct interest in the partnership at the end of the fiscal period but is not a majority interest partner at that time, the corporation's designated percentage is the sum of the following percentages:
 - i. 100 per cent multiplied by the ratio of the number of days in the fiscal period that are before January 1, 2003 to the total number of days in the fiscal period.
 - ii. 90 per cent multiplied by the ratio of the number of days in the fiscal period that are after December 31, 2002 and before January 1, 2004 to the total number of days in the fiscal period.
 - iii. 75 per cent multiplied by the ratio of the number of days in the fiscal period that are after December 31, 2003 and before January 1, 2005 to the total number of days in the fiscal period.
 - iv. 65 per cent multiplied by the ratio of the number of days in the fiscal period that are after December 31, 2004 and before January 1, 2006 to the total number of days in the fiscal period.
 - v. 35 per cent multiplied by the ratio of the number of days in the fiscal period that are after December 31, 2005 and before January 1, 2007 to the total number of days in the fiscal period.

(8) For greater certainty, nothing in subparagraph 2 i of subsection (6) affects the nature or extent of any partner's interest in any partnership for the purposes of,

- (a) the definition of "W" in subsection (4); or
- (b) paragraph 4 of subsection (5).

4. The Regulation is amended by adding the following sections:

AMOUNTS PRESCRIBED FOR THE PURPOSES OF SECTION 11.0.1 OF THE ACT

108.1 (1) In this section,

"eligible tax" means, in respect of a corporation for a taxation year, a tax levied under the laws of a province for the taxation year,

- (a) that is imposed only on persons engaged in mining operations in the province or who hold non-Crown royalties in respect of a mine in the province, or both, and
- (b) that is paid or payable to,
 - (i) the province,
 - (ii) an agent of Her Majesty in right of the province, or
 - (iii) a municipality in the province, in lieu of taxes on property that is not residential property or in lieu of taxes on any interest or right in property that is not residential property;

“industrial mine” means any work or undertaking in which industrial mineral ore is extracted or produced;

“industrial mineral” means a mineral, other than,

- (a) a mineral obtained from a mineral resource, and
- (b) a fossil fuel;

“industrial mineral ore” includes an unprocessed industrial mineral or a substance bearing an industrial mineral;

“industrial mining operations” means,

- (a) the extraction or production of industrial mineral ore from or in an industrial mine,
- (b) the transportation of industrial mineral ore to the point of egress from the industrial mine, and
- (c) the processing of industrial mineral ore,
 - (i) before or in the course of its transportation to the point of egress from the industrial mine, and
 - (ii) before its removal from the industrial mine;

“industrial non-Crown royalty” means a royalty contingent upon production of an industrial mine or computed by reference to the amount or value of production from industrial mining operations in a province, but does not include a royalty that is payable to the Crown in right of Canada or a province;

“mine” includes any work or undertaking in which a mineral ore is extracted or produced and includes a quarry;

“mineral ore” includes an unprocessed mineral or mineral-bearing substance;

“mining operations” means,

- (a) the extraction or production of mineral ore from or in a mine,
- (b) the transportation of mineral ore to the point of egress from the mine, and
- (c) the processing of mineral ore,
 - (i) to the prime metal stage or its equivalent if the mineral ore is not iron ore, or
 - (ii) to a stage that is not beyond the pellet stage or its equivalent if the mineral ore is iron ore;

“non-Crown royalty” means a royalty contingent upon production of a mine or computed by reference to the amount or value of production from mining operations in a province, but does not include a royalty that is payable to the Crown in right of Canada or a province;

“processing” includes all forms of beneficiation, smelting and refining;

“specified income” means, in respect of a corporation for a taxation year, the corporation’s income from industrial mining operations in a province for the taxation year that is derived from industrial mining operations in the province, as computed under the laws of the province that impose an eligible tax.

(2) The sum of the following amounts is prescribed as a deduction from a corporation’s income from a business or property for a taxation year for the purposes of subsection 11.0.1 (2) of the Act:

1. The amount of all eligible taxes paid or payable by the corporation for the taxation year on the corporation’s specified income for the taxation year.
2. The amount of all eligible taxes paid or payable by the corporation for the taxation year on the amount of any industrial non-Crown royalty included in computing the income of the corporation for the taxation year.

108.2 The following amounts are prescribed for the purposes of subsections 11.0.1 (3) and (5) of the Act:

1. An amount paid or payable to or received or receivable by the Crown in right of Canada for the use and benefit of a band or bands as defined in the *Indian Act* (Canada).
2. An amount paid or payable to or received or receivable by a Crown entity if the amount,
 - i. may reasonably be regarded to be in respect of a rental for any property described in subparagraph (b) (ii) of the definition of “Canadian resource property” in subsection 66 (15) of the *Income Tax Act* (Canada), and
 - ii. was paid or payable or received or receivable before the commencement of production of minerals in reasonable commercial quantities from the property referred to in subparagraph i.
3. An amount paid or payable to or received or receivable by a Crown entity if the amount may reasonably be regarded to be in respect of a rental for a right, licence or privilege to store fossil fuel underground in Canada.

4. An amount equal to the lesser of,

i. an amount,

A. that was paid or payable to or received or receivable by a Crown entity as a rental for property or a portion of a property described in paragraph (a) of the definition "Canadian resource property" in subsection 66 (15) of the *Income Tax Act* (Canada), and

B. that was payable or receivable in a taxation year in which there was no taking of fossil fuel from the property or portion of the property to which the rental relates, and

ii. an amount equal to \$2.50 times the number of hectares of the property or portion of the property to which the amount referred to in subparagraph i relates.

108.3 For the purposes of subsection 110.1 (4) of the Act, a corporation's prescribed resource loss, if any, for a taxation year is the amount determined using the formula,

$$BB - CC$$

where,

"BB" is the total of all amounts each of which is a Canadian exploration and development overhead expense made or incurred by the corporation in the year, other than an amount that is a Canadian exploration and development overhead expense because it is deemed to be a Canadian exploration expense or a Canadian development expense under subsection 21 (2) or (4) of the *Income Tax Act* (Canada), and

"CC" is the corporation's adjusted resource profits for the year as determined under section 108.

5. The Regulation is amended by adding the following section:

RULES PRESCRIBED FOR THE PURPOSES OF SUBSECTION 26 (4.1) OF THE ACT

108.4 (1) If, after December 31, 2006, a corporation described in subsection 26 (4.1) of the Act disposes of property described in that subsection for no proceeds of disposition or for proceeds of disposition less than the property's fair market value at the time of the disposition, the corporation is deemed to receive proceeds of disposition on the disposition of the property equal to the fair market value of the property at the time of the disposition.

(2) For the purposes of subsection (1), the fair market value at the time of disposition of a property described in subsection 26 (4.1) of the Act is equal to the amount by which "DD" exceeds "EE" where,

"DD" is the average proceeds of disposition per unit of the property received or receivable by the corporation from persons other than Crown entities on dispositions of the same type of property in the month that included the time of disposition, and

"EE" is the sum of,

(a) the total of all expenses per unit of the property, including depreciation, incurred by the corporation in respect of that month that may reasonably be attributed to transmitting, transporting, marketing or processing the property, to the extent that those expenses are reasonable and necessary and do not include any cost of acquisition by the corporation of the property, and

(b) the amount in respect of the unit disposed of by the corporation that may reasonably be considered to be paid or payable to or received or receivable by the Crown in right of Canada for the use and benefit of a band or bands as defined in the *Indian Act* (Canada).

(3) For the purposes of subsection (2), if a Crown entity disposes of the property or part of it to another Crown entity, both Crown entities shall be deemed to be the same Crown entity.

(4) If, after December 31, 2006, a corporation described in subsection 26 (4.1) of the Act acquires property described in that subsection that was produced in the operation described in that subsection for an amount in excess of the property's fair market value at the time of the acquisition, the corporation shall be deemed to have acquired the property at the fair market value of the property at the time of the acquisition.

(5) For the purposes of subsection (4), the fair market value of a unit of property acquired by the corporation from a Crown entity is equal to the sum of,

(a) the amount per unit, if any, paid or payable to the corporation by the Crown entity; and

(b) the amount per unit, if any, paid or payable to the Crown in right of Canada by the Crown entity for the use and benefit of a band or bands as defined in the *Indian Act* (Canada).

6. (1) Subclause 201 (6) (a) (i) of the Regulation is revoked and the following substituted:

(i) the amount that would be its income for the year from the mine if its income for the year from the mine were determined without reference to paragraph 12 (1) (z.5) of the *Income Tax Act* (Canada) and without any

deduction under this clause, clause (b), clause 11 (10) (b) of the Act or section 17, 18, 19 or 21 of the Act or any deduction in respect of exploration and development expenses permitted under *The Corporations Tax Application Rules, 1972*, and

(2) Subclause 201 (6) (b) (i) of the Regulation is revoked and the following substituted:

- (i) the amount that would be its income for the year from the mines if its income for the year from the mines were determined without reference to paragraph 12 (1) (z.5) of the *Income Tax Act* (Canada) and without any deduction under this clause, clause 11 (10) (b) of the Act or section 17, 18, 19 or 21 of the Act or any deduction in respect of exploration and development expenses permitted under *The Corporations Tax Application Rules, 1972*, and

(3) Section 201 of the Regulation is amended by adding the following subsection:

(6.1) For the purposes of computing the income of a corporation for a taxation year ending after December 31, 2002, the references in subclauses (6) (a) (i) and (b) (i) to paragraph 12 (1) (z.5) of the *Income Tax Act* (Canada) shall be read as references to subsection 11.0.1 (4) of the *Corporations Tax Act*.

7. Clause (c) of the definition of “mining profits” in subsection 505 (3) of the Regulation is revoked and the following substituted:

- (c) amounts deducted or deductible under section 18, 19 or 21 of the Act or subsection 17 (2) or (6) or section 29 of *The Corporations Tax Application Rules, 1972* for the year to the extent they have not been taken into account in computing the corporation’s gross resource profits from oil or gas operations for the year under subsection 101 (1.1), and

8. (1) Subject to subsections (2), (3), (4), (5), (6), (7) and (8), this Regulation comes into force on the day it is filed.

(2) Subsections 1 (1), (3), (8), (10), (13) and (20) and 3 (2), (3), (5) and (7), section 4 and subsection 6 (3) shall be deemed to have come into force on January 1, 2003.

(3) Subsection 1 (2) shall be deemed to have come into force on December 1, 1991.

(4) Subsection 1 (4) shall be deemed to have come into force on December 23, 1998.

(5) Subsections 1 (5), (6), (7), (9), (11), (12), (14), (16), (17), (18) and (19), 2 (2) and 3 (1) and section 7 shall be deemed to have come into force on May 7, 1997.

(6) Subsections 1 (15) and (21) and 3 (4) and (6) and section 5 come into force on January 1, 2007.

(7) Subsection 2 (1) shall be deemed to have come into force on January 1, 1999.

(8) Subsections 6 (1) and (2) shall be deemed to have come into force on January 1, 1997.

12/06

ONTARIO REGULATION 61/06

made under the

CORPORATIONS TAX ACT

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CO-OPERATIVE EDUCATION TAX CREDIT

Definitions

1. (1) In this Regulation,

“approved field of study” means, in respect of a qualifying leading edge technology education program, a field of study that, in the opinion of the Minister of Finance, leads to a knowledge-based, high value-added activity that contributes to economic growth by improving Ontario’s competitive position in the global economy or by creating new jobs or export activities and,

- (a) that involves applied or theoretical research for the advancement of scientific knowledge, but does not include,
 - (i) market research or sales promotion,
 - (ii) quality control or routine testing of materials, devices, products or processes,
 - (iii) research in the social sciences or humanities,
 - (iv) prospecting, exploring or drilling for or producing minerals, petroleum or natural gas,
 - (v) style changes, or
 - (vi) routine data collection, or
- (b) requires the development or application of technology and technological processes and,
 - (i) promotes continuous innovation, improvement or advancement with the goal of leading to new or improved products or services, or
 - (ii) develops more efficient and effective use of time and resources to improve the way things are done;

“qualifying co-operative education program” means an educational program or course of study that meets the following requirements:

1. The program or course of study formally integrates students’ academic studies with work placements.
2. The program or course of study,
 - i. includes work placements, each of which is at least 10 consecutive weeks and at least half of which are mandatory, that total not more than 75 per cent of the time spent in required academic study and that include mandatory work placements totalling at least 30 per cent of the time spent in required academic study, or
 - ii. includes one optional work placement of at least eight consecutive months and not more than 16 consecutive months that totals at least 30 per cent and not more than 75 per cent of the time spent in required academic study.
3. All optional work placements taken under the program or course of study must be completed before the start of the final academic term.
4. The program or course of study provides credit towards a post-secondary degree, diploma or certificate granted by an eligible educational institution in respect of qualifying co-operative education programs.
5. All optional qualifying co-op work placements taken by a student under the program or course of study are recorded on the student’s academic transcripts.
6. The Senate, board of governors or other governing body of the eligible educational institution, through its authorized delegate, has given to the Director of the Corporations Tax Branch of the Ministry of Finance, or to his or her delegate, a document stating that the program or course of study meets the requirements of paragraphs 1 to 5;

“qualifying leading edge technology education program” means an educational program, course of study or apprenticeship program that meets the following requirements:

1. The program or course of study is, in the opinion of the Minister of Training, Colleges and Universities or a person or persons designated by that Minister, in an approved field of study.
2. The program or course of study, if it is not an apprenticeship program, provides credit towards a post-secondary degree, diploma or certificate granted by an eligible educational institution in respect of qualifying leading edge technology education programs.
3. The program, if it is an apprenticeship program, is approved by the Director of Apprenticeship under the *Apprenticeship and Certification Act, 1998* or the *Trades Qualification and Apprenticeship Act* and, on completion, qualifies the student to receive the appropriate certificate under that Act.
4. If the program or course of study is a general arts and science or business program or course of study, the eligible educational institution has advised the Ministry of Training, Colleges and Universities that it has reviewed the courses taken by the student and determined that the student,
 - i. is meeting the requirements for a degree with a principal or joint concentration in a program that, in the opinion of the Minister of Training, Colleges and Universities or a person or persons designated by the Minister, is in an approved field of study for the student’s year of study, and
 - ii. has completed at least two full-year courses or equivalents in programs that were in approved fields of study.

(2) In subsection 43.4 (4) of the Act,

“qualified educational program” means a qualifying co-operative education program or a qualifying leading edge technology program.

Eligible educational institutions

2. (1) The following institutions are eligible educational institutions in respect of qualifying co-operative education programs for the purposes of section 43.4 of the Act:

1. A university or college of applied arts and technology in Ontario, whose enrolment is counted for the purposes of calculating annual operating grants entitlements from the Government of Ontario.
2. The Michener Institute of Applied Health Sciences.
3. The Ontario College of Art and Design.

(2) For the purposes of section 43.4 of the Act, the institutions referred to in paragraphs 1 and 2 of subsection (1) and private career colleges registered under the *Private Career Colleges Act* are eligible educational institutions in respect of qualifying leading edge technology education programs.

(3) For the purposes of section 43.4 of the Act, the Ministry of Training, Colleges and Universities is an eligible educational institution in respect of an apprenticeship program that is a qualifying leading edge technology education program.

Qualifying work placement

3. A work placement is a qualifying work placement for the purposes of section 43.4 of the Act if,

- (a) the work placement is a qualifying co-op work placement or a qualifying leading edge technology work placement; and
- (b) the work placement is certified as a qualifying work placement in accordance with subsection 43.4 (4) of the Act.

Qualifying co-op work placement

4. (1) A work placement is a qualifying co-op work placement if,

- (a) it is a work placement in which a student of an eligible educational institution in respect of qualifying co-operative education programs performs employment duties for a corporation under a qualifying co-operative education program offered by the institution; and
- (b) it satisfies the conditions set out in subsection (2).

(2) The following are the conditions referred to in clause (1) (b):

1. The work placement has been developed or approved by the institution as a suitable learning situation.
2. The terms of the work placement require the student to engage in productive work during the placement, not just to observe the work of others.
3. The work placement is for a period of,
 - i. not less than 10 consecutive weeks, if the placement is under a qualifying co-operative education program that is a program referred to in subparagraph 2 i of the definition of "qualifying co-operative education program" in subsection 1 (1), or
 - ii. not less than eight consecutive months and not more than 16 consecutive months, if the placement is under an internship program described in subparagraph 2 ii of the definition of "qualifying co-operative education program" in subsection 1 (1).
4. The student is entitled to receive remuneration for work performed during the work placement.
5. The terms of the work placement require the corporation to supervise and evaluate the job performance of the student during the placement.
6. The institution monitors the student's progress in the work placement.

Qualifying leading edge technology work placement

5. (1) A work placement is a qualifying leading edge technology work placement if,

- (a) it is a work placement in which a student enrolled in a qualifying leading edge technology education program of an eligible educational institution in respect of qualifying leading edge technology education programs performs employment duties for a corporation; and
- (b) it satisfies the conditions set out in subsection (2).

(2) The following are the conditions referred to in clause (1) (b):

1. In the case of a work placement that is not under an apprenticeship program,
 - i. the work placement is completed before the student's final academic term of the program,

- ii. the corporation gives the Minister and the institution in the manner required by the Minister a detailed job description of the work to be performed and the responsibilities to be assumed by the student during the work placement,
 - iii. the majority of the job functions to be performed by the student during the work placement provide training or work experience that is directly related to and reinforces the learning experience of the student in the program in which the student is enrolled, and the institution certifies this in the manner required by the Minister, and
 - iv. the student certifies in the manner required by the Minister that he or she is enrolled in the program and employed by the corporation.
2. In the case of a work placement that is under an apprenticeship program, the corporation and student are participating in a program approved by the Director of Apprenticeship under the *Apprenticeship and Certification Act, 1998* or the *Trades Qualification and Apprenticeship Act*.
 3. The terms of the work placement require the student to engage in productive work during the placement, not just to observe the work of others.
 4. The student is entitled to receive remuneration for work performed during the work placement and has actually performed the work and assumed the responsibilities required under the terms of the work placement.
 5. Subject to subsections (3) and (5) and 6 (3), the work placement is for a period of not less than 10 consecutive weeks, with an average of 24 hours of employment each week.

(3) Despite subsection 9 (1), if the term of a qualifying leading edge technology work placement and the term of all previous qualifying leading edge technology work placements of the student that are with the same corporation, or that are deemed under subsection 9 (2) to be with the same corporation, exceed the number of months specified by subsection (4), only the portion, if any, of the work placement that brings the total time to that number of months, even if less than 10 consecutive weeks, will be considered to be a qualifying leading edge technology work placement.

(4) The number of months referred to in subsection (3) is,

(a) 24 months, if,

- (i) the work placement is under an apprenticeship program, and
- (ii) the work placement and all previous qualifying leading edge technology work placements that the student had or is deemed under subsection 9 (2) to have had with the same corporation commenced after May 4, 1999; or

(b) 16 months, in any other case.

(5) A qualifying leading edge technology work placement that is under an apprenticeship program ends on the earlier of,

(a) the date on which it would otherwise end; and

(b) the date on which the student receives the appropriate certificate under the *Apprenticeship and Certification Act, 1998* or the *Trades Qualification and Apprenticeship Act*.

Exception, certain work placements ending after May 18, 2004

6. (1) This section applies to a work placement that would otherwise be a qualifying leading edge technology work placement under section 5 if,

(a) the work placement ended after May 18, 2004;

(b) the work placement was under an apprenticeship program; and

(c) on May 19, 2004, the student employed in the work placement was in the first 36 months of a qualifying leading edge technology education program.

(2) No portion of the work placement that was after May 18, 2004 shall be a qualifying work placement.

(3) Despite paragraph 5 of subsection 5 (2), if the initial work placement commenced after March 10, 2004, the portion of the work placement before May 19, 2004 shall be deemed to be a qualifying leading edge technology work placement, despite the number of weeks in that portion of the work placement, if the student was employed in that portion of the work placement for an average of at least 24 hours a week.

Exception, certain work placements commencing after May 18, 2004

7. (1) A work placement that would otherwise be a qualifying leading edge technology work placement under section 5 is not a qualifying leading edge technology work placement if,

(a) the initial work placement of the student with the corporation commenced after May 18, 2004; and

(b) the work placement was under an apprenticeship program.

(2) Subsection (1) does not apply in respect of a work placement of a student who was in an apprenticeship program on May 19, 2004 if the student was not in the first 36 months of a qualifying leading edge technology education program.

Exception, certain work placements commencing after October 25, 2004

8. A work placement that would otherwise be a qualifying leading edge technology work placement under section 5 is not a qualifying leading edge technology work placement if the student was first employed with the corporation after October 25, 2004 and,

- (a) the work placement was not under an apprenticeship program; or
- (b) the work placement was under an apprenticeship program but, on May 19, 2004, the student employed in the work placement was not in the first 36 months of a qualifying leading edge technology education program.

Division of work placement into consecutive work placements

9. (1) If a qualifying work placement would otherwise exceed four consecutive months, the following rules apply:

- 1. The work placement shall be divided into periods of four consecutive months, starting at the beginning of the placement, and each full period of four consecutive months shall be deemed to be a separate qualifying work placement.
- 2. If the work placement includes a period of 10 or more consecutive weeks that is not included in a period deemed by paragraph 1 to be a separate qualifying work placement, the period of 10 or more consecutive weeks shall be deemed to be a separate qualifying work placement.
- 3. If the work placement includes a period of less than 10 consecutive weeks that is not included in a period deemed by paragraph 1 to be a separate qualifying work placement, the period of less than 10 consecutive weeks shall be deemed to form part of the immediately preceding period that is deemed by paragraph 1 to be a separate qualifying work placement.

(2) Consecutive work placements with two or more associated corporations shall be deemed to be with only one of the corporations, as designated by the corporations.

Eligible expenditures

10. (1) For the purposes of section 43.4 of the Act and subject to subsection (2), the following amounts paid or payable by a corporation in respect of a qualifying work placement are eligible expenditures for a taxation year:

- 1. Amounts paid or payable to the student in the qualifying work placement as salary or wages that,
 - i. would be considered for the purposes of Part III of Regulation 183 of the Revised Regulations of Ontario, 1990 (General) made under the Act to be included in the amount of salary or wages paid to employees of a permanent establishment of the corporation in Ontario, and
 - ii. are required by Subdivision a of Division B of Part I of the *Income Tax Act* (Canada) to be included, when paid, in the income from employment of the student in respect of the qualifying work placement.
- 2. Fees paid or payable to an employment agency in consideration for the provision of the services carried out by the student in the qualifying work placement, if the services are carried out by the student primarily at a permanent establishment of the corporation in Ontario.

(2) The following amounts are not eligible expenditures for the purposes of section 43.4 of the Act:

- 1. An amount paid or payable in respect of services performed after December 31, 2004 by a student who was first employed in a qualifying leading edge technology work placement before October 26, 2004 if,
 - i. the work placement was not under an apprenticeship program, or
 - ii. the work placement was under an apprenticeship program but, on May 19, 2004, the student employed in the work placement was not in the first 36 months of a qualifying leading edge technology education program.
- 2. An amount paid or payable in respect of services performed after May 18, 2004 by a student who was in a qualifying leading edge technology education program on May 18, 2004 if,
 - i. the work placement was under an apprenticeship program, and
 - ii. on May 19, 2004, the student was in the first 36 months of a qualifying leading edge technology education program.

(3) The total of all eligible expenditures made by a corporation in respect of a qualifying work placement is the amount otherwise determined less the amount of all government assistance, if any, in respect of the eligible expenditures that, at the time the corporation's return is required to be delivered under section 75 of the Act for the taxation year for which the tax credit is claimed, the corporation has received, is entitled to receive or may reasonably be expected to be entitled to receive.

(4) Despite subsection (1), an expenditure made by a corporation in respect of a work placement is not an eligible expenditure for the purposes of section 43.4 of the Act,

- (a) to the extent that the amount of the expenditure would not be considered to be reasonable in the circumstances by persons dealing with each other at arm's length; or
- (b) if the work placement is with a person other than the corporation.

(5) If a qualifying work placement is deemed by subsection 9 (2) to be a work placement with only one of two or more corporations,

- (a) the corporation designated under that subsection shall be deemed to have paid all amounts referred to in paragraphs 1 and 2 of subsection (1) that were paid or payable by the corporations, and those amounts shall be deemed not to have been paid or payable by the other corporations; and
- (b) the corporation designated under that subsection shall be deemed to have received or be entitled to receive all government assistance in respect of the work placement that any of the other corporations has received, is entitled to receive or may reasonably be expected to be entitled to receive, and the other corporations shall be deemed not to have received or be entitled to receive that government assistance.

(6) The amount of salaries and wages deemed to have been paid by a corporation in a previous taxation year for the purposes of subsection 43.4 (3.1) of the Act is the amount that would otherwise be determined for that year if,

- (a) the rules set out in subsection 87 (1.2) of the *Income Tax Act* (Canada) and subsection 87 (1.4) of that Act applied; and
- (b) no amount is included in respect of salaries and wages paid by any partnership of which the corporation was a member.

(7) In this section,

“government assistance” means assistance from a government, municipality or other public authority in any form, including a grant, subsidy, forgivable loan, deduction from tax or investment allowance, but not including the following:

1. An Ontario innovation tax credit under section 43.3 of the Act.
2. A co-operative education tax credit under section 43.4 of the Act.
3. An Ontario film and television tax credit under section 43.5 of the Act.
4. A Canadian film or video production tax credit under section 125.4 of the *Income Tax Act* (Canada).
5. An investment tax credit under section 127 of the *Income Tax Act* (Canada).
6. An Ontario book publishing tax credit under section 43.7 of the Act.
7. An Ontario computer animation and special effects tax credit under section 43.8 of the Act.
8. An Ontario business-research institute tax credit under section 43.9 of the Act.

Revocation of O. Reg 329/97

11. Ontario Regulation 329/97 is revoked.

Made by:

DWIGHT DUNCAN
Minister of Finance

Date made: February 10, 2006.

12/06

ONTARIO REGULATION 62/06

made under the

PROVINCIAL OFFENCES ACT

Made: March 1, 2006

Filed: March 6, 2006

Published on e-Laws: March 7, 2006

Printed in *The Ontario Gazette*: March 25, 2006

Amending Reg. 950 of R.R.O. 1990

(Proceedings Commenced by Certificate of Offence)

Note: Regulation 950 has previously been amended. Those amendments are listed in the [Table of Regulations – Legislative History Overview](#) which can be found at www.e-Laws.gov.on.ca.

1. Schedule 43 to Regulation 950 of the Revised Regulations of Ontario, 1990 is amended by adding the following item:

| | | | |
|--|-------|--|---------------------|
| | 225.1 | Drive motor vehicle with pre-empting traffic control signal device | subsection 79.1 (1) |
|--|-------|--|---------------------|

RÈGLEMENT DE L'ONTARIO 62/06

pris en application de la

LOI SUR LES INFRACTIONS PROVINCIALESpris le 1^{er} mars 2006

déposé le 6 mars 2006

publié sur le site Lois-en-ligne le 7 mars 2006

imprimé dans la *Gazette de l'Ontario* le 25 mars 2006

modifiant le Règl. 950 des R.R.O. de 1990

(Instances introduites au moyen du dépôt d'un procès-verbal d'infraction)

Remarque : Le Règlement 950 a été modifié antérieurement. Ces modifications sont indiquées dans le [Sommaire de l'historique législatif des règlements](#) qui se trouve sur le site www.lois-en-ligne.gouv.on.ca.

1. L'annexe 43 du Règlement 950 des Règlements refondus de l'Ontario de 1990 est modifiée par adjonction du numéro suivant :

| | | | |
|--|-------|--|---------------------|
| | 225.1 | Conduire un véhicule automobile muni d'un dispositif de modification de la signalisation de la circulation | paragraphe 79.1 (1) |
|--|-------|--|---------------------|

12/06

ONTARIO REGULATION 63/06

made under the

HIGHWAY TRAFFIC ACT

Made: March 1, 2006

Filed: March 6, 2006

Published on e-Laws: March 8, 2006

Printed in *The Ontario Gazette*: March 25, 2006

Amending Reg. 615 of R.R.O. 1990
(Signs)

Note: Regulation 615 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Section 7 of Regulation 615 of the Revised Regulations of Ontario, 1990 is amended by adding “or the nearest rail at a railway crossing” at the end.
2. Section 8 of the Regulation is revoked and the following substituted:
 8. A stop sign shall be erected so that the left edge of the sign shall be not more than 4 metres from the edge of the roadway.
3. Subsection 11 (3) of the Regulation is amended by adding “or below” after “above”.
4. (1) The Figure to subsection 26 (1) of the Regulation is revoked and the following substituted:



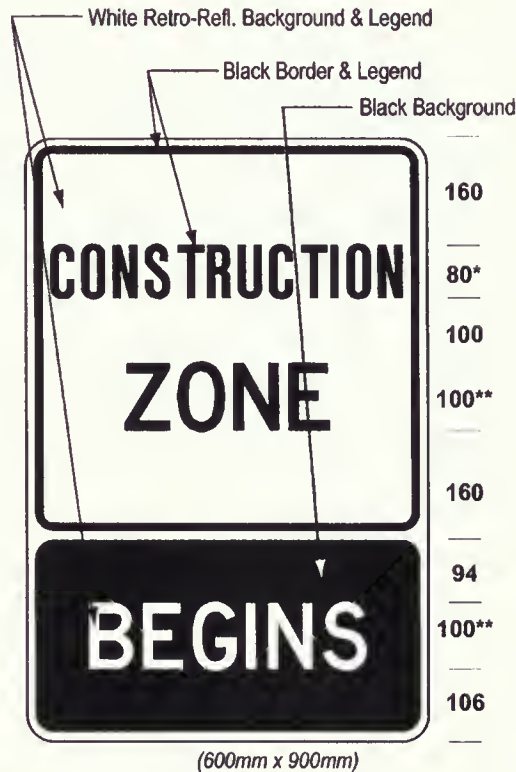
- (2) The Figure to subsection 26 (2) of the Regulation is revoked and the following substituted:



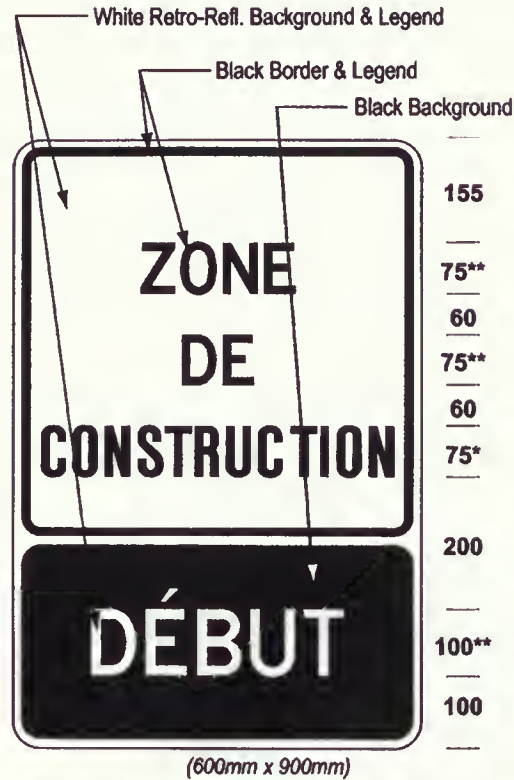
5. Section 42 of the Regulation is revoked and the following substituted:

42. (1) A part of a highway that has been designated as a construction zone shall be marked at the commencement and at the end of the construction zone with construction zone signs erected on the right side of the highway, facing approaching traffic and not more than 4.5 metres from the roadway, with the bottom edge of the sign not less than 1.5 metres or more than 2.5 metres above the level of the roadway.

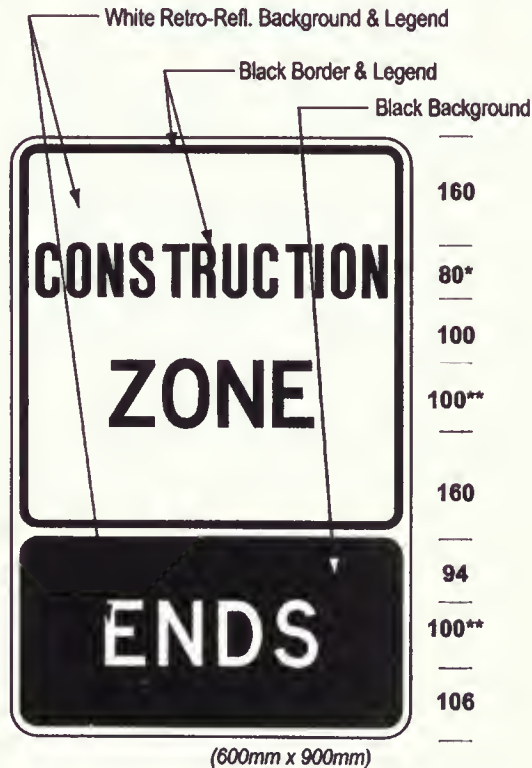
(2) The commencement of a designated construction zone shall be indicated by a sign that has the dimensions and bears the markings as illustrated in the following Figure:



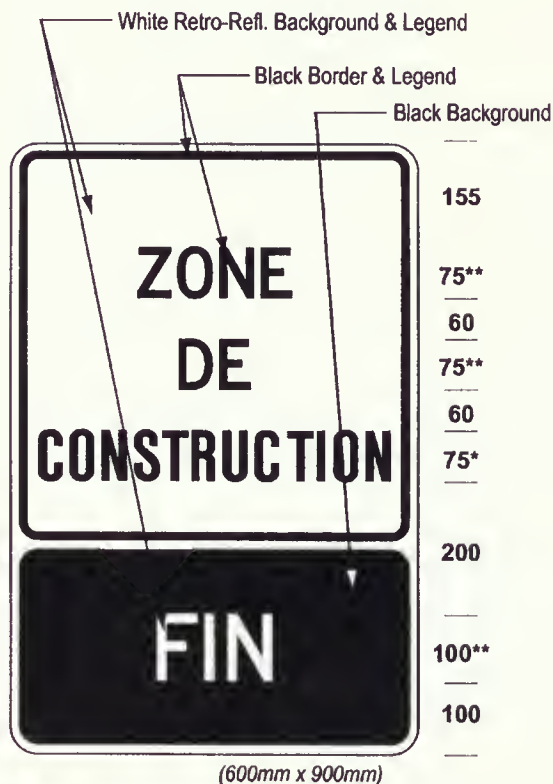
(3) Despite subsection (2), in an area designated in the Schedule to the *French Language Services Act*, the commencement of a designated construction zone shall be indicated by a sign that has the dimensions and bears the markings as illustrated in the Figure to subsection (2) and a sign that has the dimensions and bears the markings as illustrated in the following Figure:



(4) The end of a designated construction zone shall be indicated by a sign that has the dimensions and bears the markings as illustrated in the following Figure:



(5) Despite subsection (4), in an area designated in the Schedule to the *French Language Services Act*, the end of a designated construction zone shall be indicated by a sign that has the dimensions and bears the markings as illustrated in the Figure to subsection (4) and a sign that has the dimensions and bears the markings as illustrated in the following Figure:



42.1 (1) A traffic control stop or slow sign used by a traffic control person or a firefighter in accordance with section 146.1 of the Act shall,

- (a) be octagonal in shape;
- (b) measure 450 millimetres between opposite sides;
- (c) be mounted on a pole that is 1.2 metres long;
- (d) be made of material with at least the rigidity of plywood that is six millimetres thick; and
- (e) be maintained in a clean and legible condition.

(2) One side of a traffic control stop or slow sign shall be high-intensity retro-reflective grade red in colour with the word "stop" in the centre of the sign written in legible high-intensity retro-reflective grade white upper case letters 150 millimetres high.

(3) The other side of a traffic control stop or slow sign shall be high retro-reflective micro-prismatic fluorescent chartreuse in colour with a black diamond-shaped border that is at least 317 millimetres by 317 millimetres and the word "slow" in the centre of the sign written in legible black upper case letters 120 millimetres high.

6. (1) Subject to subsection (2), this Regulation comes into force on the day it is filed.

(2) Section 5 comes into force on the later of March 31, 2006 and the day this Regulation is filed.

ONTARIO REGULATION 64/06

made under the

HIGHWAY TRAFFIC ACT

Made: March 1, 2006

Filed: March 6, 2006

Published on e-Laws: March 8, 2006

Printed in *The Ontario Gazette*: March 25, 2006

Amending O. Reg. 339/94

(Demerit Point System)

Note: Ontario Regulation 339/94 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. (1) Item 21 of the Table to Ontario Regulation 339/94 is revoked and the following substituted:

| | | | |
|----|--|---|----------------------|
| 21 | Subsections 140 (1), (2) and (3) of the <i>Highway Traffic Act</i> | 3 | Pedestrian crossover |
|----|--|---|----------------------|

(2) The Table to the Regulation is amended by adding the following items:

| | | | |
|----|--|---|---|
| 39 | Subsection 146.1 (3) of the <i>Highway Traffic Act</i> | 3 | Failing to obey traffic control stop sign |
| 40 | Subsection 146.1 (4) of the <i>Highway Traffic Act</i> | 3 | Failing to obey traffic control slow sign |
| 41 | Subsection 176 (3) of the <i>Highway Traffic Act</i> | 3 | Failing to obey school crossing stop sign |

2. This Regulation comes into force on the later of March 31, 2006 and the day this Regulation is filed.

12/06

ONTARIO REGULATION 65/06

made under the

ONTARIO ENERGY BOARD ACT, 1998

Made: March 1, 2006

Filed: March 6, 2006

Published on e-Laws: March 8, 2006

Printed in *The Ontario Gazette*: March 25, 2006

Amending O. Reg. 578/05

(Prescribed Contracts Re Sections 78.3 and 78.4 of the Act)

Note: Ontario Regulation 578/05 has not previously been amended.

1. Ontario Regulation 578/05 is amended by adding the following section:

Early mover clean energy supply contracts

3. The contracts listed in Table 5 to this Regulation, which have been entered into by the OPA pursuant to a direction by the Minister made under subsections 25.32 (4) and (7) of the *Electricity Act, 1998*, are prescribed procurement contracts for the purposes of subsection 78.4 (1) of the *Ontario Energy Board Act, 1998*.

2. The Regulation is amended by adding the following Table:

TABLE 5
EARLY MOVER CLEAN ENERGY SUPPLY CONTRACTS

| Item | Supplier | Name of Project | Location |
|------|------------------------------|---|--|
| 1. | TransAlta Energy Corporation | Sarnia Regional Cogeneration Plant | 1741 River Road, Sarnia, Ontario |
| 2. | Toromont Energy Ltd. | Sudbury District Energy – Hospital Cogeneration Project | 41 Ramsey Lake Road, Sudbury, Ontario |
| 3. | Toromont Energy Ltd. | Sudbury District Energy – District Energy Plant | 36 Energy Court, Sudbury, Ontario |
| 4. | Toromont Energy Ltd. | Trent Valley Cogeneration Plant | Highway 33, Lot No. A.1 Conc. 3, Trenton, Ontario |
| 5. | Coral Energy Canada Inc. | Brighton Beach Power Station | Windsor, Ontario |

12/06

ONTARIO REGULATION 66/06

made under the

PUBLIC SERVICE ACT

Made: March 1, 2006

Filed: March 6, 2006

Published on e-Laws: March 7, 2006

Printed in *The Ontario Gazette*: March 25, 2006

DESIGNATED AGENCIES (DEFINITION OF “CROWN EMPLOYEE”)

Designated agencies

1. The following are designated agencies of the Crown for the purposes of the definition of “Crown employee” in section 1 of the Act:

1. Colleges of applied arts and technology established under the *Ontario Colleges of Applied Arts and Technology Act, 2002*.
2. Corporations and entities listed in Schedule 1.

Revocation

2. Ontario Regulation 57/95 is revoked.

SCHEDULE 1 CORPORATIONS AND ENTITIES

Algonquin Forestry Authority
 Central Health Integration Network
 Central East Health Integration Network
 Central West Health Integration Network
 Greater Toronto Transit Authority
 Health Integration Network of Champlain
 Health Integration Network of Erie St. Clair
 Health Integration Network of Hamilton Niagara Haldimand Brant
 Health Integration Network of Mississauga Halton
 Health Integration Network of North Simcoe Muskoka
 Health Integration Network of Toronto Central
 Health Integration Network of Waterloo Wellington

Liquor Control Board of Ontario
 Local Health Integration Network (North West Ontario)
 McMichael Canadian Art Collection
 Metropolitan Toronto Convention Centre Corporation
 The Niagara Parks Commission
 North East Health Integration Network
 Ontario Housing Corporation
 Ontario Public Service Pension Board
 Ontario Realty Corporation
 Ottawa Congress Centre
 Science North
 South East Health Integration Network
 South West Health Integration Network
 Workplace Safety and Insurance Appeals Tribunal
 Workplace Safety and Insurance Board

12/06

ONTARIO REGULATION 67/06

made under the

DENTAL HYGIENE ACT, 1991

Made: January 9, 2006
 Approved: March 1, 2006
 Filed: March 6, 2006
 Published on e-Laws: March 8, 2006
 Printed in *The Ontario Gazette*: March 25, 2006

FUNDING FOR THERAPY AND COUNSELLING

Definition

1. In this Regulation,

“member” includes a former member.

Alternative requirements, etc.

2. (1) The alternative requirements that must be satisfied in order for a person to be eligible for funding under clause 85.7 (4) (b) of the Health Professions Procedural Code are prescribed in this section.

(2) A person is eligible for funding for therapy or counselling if,

- (a) there is an admission made by a member in a statement to the College or in an agreement with the College that he or she sexually abused the person while the person was a patient of the member;
- (b) a member has been convicted under the *Criminal Code* (Canada) of sexually assaulting the person while the person was a patient of the member and the facts supporting the sexual assault constitute sexual abuse within the meaning of the Health Professions Procedural Code;
- (c) there is a statement, contained in the written reasons of a committee of the College given after a hearing, that the person, while a patient, was sexually abused by a member; or
- (d) there is sufficient evidence presented to the Patient Relations Committee to support a reasonable belief that the person, while a patient, was sexually abused by a member.

(3) Without limiting the generality of clause (2) (d), the following are examples of the kinds of evidence that may support a reasonable belief that a person, while a patient, was sexually abused by a member:

1. Evidence that a notice of hearing was issued by the College containing allegations that the person, while a patient, was sexually abused by a member who died before a hearing was held.
2. Evidence of reports made with respect to the member under subsection 85.1 (1) or 85.2 (1) of the Health Professions Procedural Code.
3. Evidence that corroborates the person's allegations of sexual abuse.
- (4) A person is not eligible under subsection (2) unless the evidence indicates that the sexual abuse occurred in Ontario.
- (5) A person is eligible for funding for therapy or counselling under subsection (2) only if,
 - (a) the person submits an application for funding to the Patient Relations Committee in the form provided by the College and, in the application, the person names the member who is alleged to have sexually abused the patient, provides the location where it is alleged that the sexual abuse took place and the date on which it is alleged the sexual abuse took place;
 - (b) the person submits to the Patient Relations Committee along with the application,
 - (i) a written undertaking signed by the person to keep confidential all information obtained through the application for funding process, including the fact that funding has been granted and the reasons given by the Committee for granting the funding, and
 - (ii) a written undertaking signed by the person to refrain from using any of the information referred to in subclause (i) for any collateral or ulterior purpose; and
 - (c) the person provides any other information as required by the Patient Relations Committee.
- (6) A decision by the Patient Relations Committee that a person is eligible for funding for therapy or counselling does not constitute a finding against the member and shall not be considered by any other committee of the College dealing with the member.

Pre Regulated Health Professions Act, 1991 abuse

3. A person who is otherwise eligible for funding for therapy or counselling under section 2 is not eligible for funding if the therapy or counselling for which funding is requested relates to sexual abuse by a member that occurred before December 31, 1993 and if, in the opinion of the Patient Relations Committee, the granting of funding would not be just and equitable having regard to the following:

1. Whether the need for therapy or counselling results directly or indirectly from the alleged sexual abuse.
2. The availability of other sources of funding.
3. The College's resources.

Made by:

COUNCIL OF THE COLLEGE OF DENTAL HYGIENISTS OF ONTARIO:

PEGGY MAGGRAH
President

FRAN RICHARDSON
Registrar

Date made: January 9, 2006.

12/06

ONTARIO REGULATION 68/06

made under the

PHYSIOTHERAPY ACT, 1991

Made: January 4, 2006

Approved: March 1, 2006

Filed: March 6, 2006

Published on e-Laws: March 8, 2006

Printed in *The Ontario Gazette*: March 25, 2006

Amending O. Reg. 532/98
(General)

Note: Ontario Regulation 532/98 has previously been amended. Those amendments are listed in the Table of Regulations ... Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Ontario Regulation 532/98 is amended by adding the following Part:

**PART III
REGISTRATION**

DEFINITIONS

11. In this Part,

“degree in physiotherapy” means,

- (a) a minimum of a baccalaureate degree in a physiotherapy education program at a Canadian university approved by a body or bodies designated by the Council, or by the Council itself,
- (b) an academic qualification from outside Canada that is considered by a body or bodies designated by the Council, or by the Council itself, to be substantially similar to the qualification in clause (a);

“examination” means an examination set or approved by the Council.

GENERAL

12. The following are prescribed as classes of certificates of registration:

- 1. Independent practice.
- 2. Provisional practice.
- 3. Academic practice.
- 4. Teaching practice.
- 5. Inactive status.

13. A person may apply for the issue of a certificate of registration by submitting to the College a completed application for the class of certificate for which application is made together with any applicable fees.

14. A certificate of registration shall not be dated earlier than the day it was issued.

15. A member shall not hold more than one certificate of registration.

16. (1) It is a non-exemptible registration requirement for all classes of certificates of registration that the applicant's past and present conduct affords reasonable grounds for belief that he or she,

- (a) is mentally competent to practise physiotherapy;
- (b) will practise physiotherapy with decency, integrity and honesty and in accordance with the law; and
- (c) can communicate effectively with, and will display an appropriate attitude towards, patients and colleagues.

(2) The following are the standards and qualifications for a certificate of registration of any class except a certificate of registration authorizing teaching practice:

- 1. The applicant must have Canadian citizenship, permanent resident status or an authorization under the *Immigration and Refugee Protection Act* (Canada) consistent with the class of certificate for which application is made.

2. The applicant must be able to speak and write either French or English with reasonable fluency.

(3) It is a term, condition and limitation of a certificate of registration of any class that the certificate terminates when the holder no longer has Canadian citizenship, permanent resident status or an authorization under the *Immigration and Refugee Protection Act* (Canada) consistent with the class of certificate.

(4) Holders of an independent or academic practice certificate of registration are required to successfully complete the College Jurisprudence Program within six months of initial registration, reinstatement of registration, or March 6, 2006, whichever is later, and thereafter once every five-year cycle of the Program as scheduled by the Registrar.

(5) For the purpose of subsection (4), the College Jurisprudence Program includes an assessment of the holder's knowledge of and ability to apply jurisprudence concepts relevant to the practice of physiotherapy in Ontario.

17. It is a non-exemptible registration requirement for certificates of registration of independent practice, provisional practice and academic practice that the applicant demonstrates that he or she holds professional liability insurance in accordance with the College by-laws.

18. Despite any other provision in this Regulation, an applicant who by commission or omission makes a false or misleading representation or declaration on or in connection with an application shall be deemed not to have, and not to have had, the qualifications for a certificate of any class.

INDEPENDENT PRACTICE

19. (1) The following are the standards and qualifications for a certificate of registration authorizing independent practice:

1. The applicant must have received a degree in physiotherapy.
2. The applicant must have successfully completed the examination.

(2) An applicant for a certificate of registration authorizing independent practice who was, on December 31, 1993, qualified as a physiotherapist under a statute in a Canadian jurisdiction outside Ontario and is included on a permanent register in that jurisdiction is exempted from the standards and qualifications under subsection (1).

(3) An applicant for a certificate of registration authorizing independent practice who was, on December 30, 1993, qualified as a physiotherapist in Ontario under the *Drugless Practitioners Act* is exempted from the standards and qualifications under subsection (1).

(4) An applicant for a certificate of registration authorizing independent practice shall satisfy the Registrar that he or she has practised physiotherapy for at least 1,200 hours in the five years immediately preceding the application if the applicant,

- (a) is not exempted from the standards and qualifications under subsection (1) and has not successfully completed the examination within the five years immediately preceding the application; or
- (b) is exempted from the standards and qualifications under subsection (1).

20. (1) In this section,

“applicant” means a person who holds an unrestricted practice certificate in a Canadian jurisdiction outside Ontario that the Council determines to have standards and qualifications substantially similar to those in Ontario and who does not qualify for a certificate of registration authorizing independent practice under section 19;

“unrestricted practice certificate” means a licence or certificate of registration without any individual terms, conditions or limitations that is substantially similar to an Ontario certificate of registration authorizing independent practice.

(2) The following are the standards and qualifications for a certificate of registration authorizing independent practice for an applicant under this section:

1. The applicant must have received a degree in physiotherapy.
2. At the date of application, the applicant must have practiced physiotherapy for at least 1,200 hours in the previous five years, or practiced physiotherapy within the previous three years in a Canadian jurisdiction that has a continuing competency program that the Council has determined is substantially similar to that used by the College.

(3) For the purpose of paragraph 2 of subsection (2), a continuing competency program in a Canadian jurisdiction outside of Ontario is substantially similar to that used by the College where it includes both a competency assessment component and a component that assists registrants with identified deficiencies to meet practice standards.

(4) An applicant under this section must satisfy one of the following:

1. Successful completion of the examination.
2. Demonstrate integration of practice competency through completion of a minimum of 3,200 hours of clinical physiotherapy practice in Canada within a 24 to 36 month period.

3. Be a graduate from a Canadian physiotherapy degree program in a jurisdiction where the statutory framework provides terms and conditions of cooperation between the physiotherapy regulator and the authorities of the university programs in the jurisdiction, and demonstrate integration of practice competency through clinical physiotherapy practice in the jurisdiction where the physiotherapy degree program is located in the two years immediately preceding the application.
- (5) An applicant under this section who submits an application on or before December 31, 2008, and satisfies all the requirements for registration in this section except for paragraph 2 of subsection (2) shall be granted a certificate of registration authorizing independent practice if he or she has accumulated between one and 1,199 practice hours in the five years immediately preceding the application.
21. (1) It is a term, condition and limitation of a certificate of registration authorizing independent practice that, five years after the date of its issue, and every year after that, the holder satisfy the Registrar that he or she,
 - (a) has practised physiotherapy for at least 1,200 hours in the preceding five years;
 - (b) has successfully completed the College Review Program within the previous 12 months at the holder's expense; or
 - (c) has successfully completed the examination within the previous 12 months.
- (2) For the purpose of clause (1) (b), the College Review Program shall consist of an assessment of the holder's current knowledge, skill, judgment and performance and may include an individualized upgrading program based upon the results of the assessment or a reassessment upon the completion of the program.
- (3) If a holder of a certificate of registration authorizing independent practice fails to satisfy the condition in subsection (1), his or her certificate of registration is suspended until the condition is satisfied except if the holder concludes a written agreement approved by the Registrar.
- (4) If a holder of a certificate of registration authorizing independent practice ceases to hold professional liability insurance in accordance with the College by-laws, his or her certificate of registration is deemed to be suspended until the Registrar is satisfied that he or she has acquired the professional liability insurance.
22. A person who, on December 31, 1993, was registered as a physiotherapist in Ontario under the predecessor of the Act is deemed to be the holder of a certificate of registration authorizing independent practice.

PROVISIONAL PRACTICE

23. (1) The following are the standards and qualifications for a certificate of registration authorizing provisional practice:
 1. The applicant must have received a degree in physiotherapy.
 2. The applicant must have successfully completed the written component of the examination.
 3. The applicant must have registered to take the practical component of the examination at the next available opportunity after the application.
- (2) The following are the terms, conditions and limitations of a certificate of registration authorizing provisional practice:
 1. The holder may practise physiotherapy only under the terms of a written agreement with a member holding a certificate of registration authorizing independent practice who monitors him or her in accordance with the written agreement. For the purposes of this paragraph, both the written agreement and the member must be approved by the Registrar.
 2. The holder shall hold himself or herself out only as a physiotherapy resident.
 3. If the member in paragraph 1 is unable to maintain the terms of the agreement due to resignation, illness or other circumstances, the provisional practice certificate of the holder is suspended until a new written agreement with the same or different member is approved by the Registrar.
 4. The certificate expires on the earlier of the date that the holder receives notification that he or she has failed the practical component of the examination or 12 weeks after the date that the holder is registered to take the practical component of the examination.
- (3) If a holder of a certificate of registration authorizing provisional practice ceases to hold professional liability insurance in accordance with the College by-laws, his or her certificate of registration is deemed to be suspended until the Registrar is satisfied that he or she has acquired the professional liability insurance.
- (4) A person who has failed the practical component of the examination is not entitled to apply for a certificate of registration authorizing provisional practice.
- (5) A person who previously obtained a certificate of registration authorizing provisional practice is not entitled to apply for another one unless the person did not fail the practical component of the examination but was unable to complete it successfully because of illness or some other reason beyond the control of the person.

(6) A person who previously obtained what was formerly known as a certificate of registration authorizing supervised practice is not entitled to apply for a certificate of registration authorizing provisional practice unless the person did not fail the practical component of the examination but was unable to complete it successfully because of illness or some other reason beyond the control of the person.

(7) If the Registrar receives concerns relating to the member's knowledge, skills or judgement in the practice of physiotherapy during the period that the member held a certificate of registration authorizing provisional practice, the Registrar may refer the member to the Quality Management Committee.

ACADEMIC PRACTICE

24. (1) The following are the standards and qualifications for a certificate of registration authorizing academic practice:

1. The applicant must have received a degree in physiotherapy.
2. The applicant must have an appointment to the academic staff of a university in Ontario in a program of physiotherapy or physical therapy.

(2) The following are the terms, conditions and limitations of a certificate of registration authorizing academic practice:

1. The holder may practise physiotherapy only in the department in which he or she holds the professorial appointment and to the extent required by the teaching, research and service requirements of that appointment.
2. The certificate terminates when the holder no longer holds an appointment in accordance with paragraph 2 of subsection (1).

(3) If a holder of a certificate of registration authorizing academic practice ceases to hold professional liability insurance in accordance with the College by-laws, his or her certificate of registration is deemed to be suspended until the Registrar is satisfied that he or she has acquired the professional liability insurance.

TEACHING PRACTICE

25. (1) The following are the standards and qualifications for a certificate of registration authorizing teaching practice:

1. The applicant must have received a degree in physiotherapy.
2. The applicant is qualified to practise as a physiotherapist in a jurisdiction outside Ontario.
3. The applicant holds an appointment to teach a brief continuing education program in physiotherapy primarily for the benefit of members holding a certificate of registration authorizing independent practice.
4. A member holding a certificate of registration authorizing independent practice has given an undertaking to supervise the applicant and be responsible for ensuring the provision of appropriate care for patients attended by the applicant in Ontario.

(2) It is a term, condition and limitation of a certificate of registration authorizing teaching practice that the holder practise physiotherapy only to the extent required for the purposes of the brief continuing education program taught by the holder and under the supervision of the member who gave the undertaking in paragraph 4 of subsection (1).

(3) A certificate of registration authorizing teaching practice expires at the earliest of the following:

1. At the end of the continuing education program.
2. The day the holder leaves Ontario.
3. Ten days after the certificate is issued.

INACTIVE STATUS

26. (1) The following are the standards and qualifications for an inactive certificate of registration:

1. The applicant must hold a certificate of registration authorizing independent practice.
2. The applicant is not currently engaged, in Ontario, in employment or other activities related to his or her credentials or experience in physiotherapy including but not limited to clinical practice, health care consultation, health administration, academic endeavours (such as teaching and research) and sales of health goods or services.
3. The applicant is not in default of any obligation to the College.

(2) The following are the terms, conditions and limitations of an inactive certificate of registration:

1. The holder shall not engage, in Ontario, in employment or other activities related to his or her credentials or experience in physiotherapy including clinical practice, health care consultation, health administration, academic endeavours (such as teaching or research) and sales of health goods or services.

2. The holder may use only the titles "physiotherapist inactive" or "physical therapist inactive".
- (3) The holder of an inactive certificate of registration may, upon application, be issued a certificate of registration authorizing independent practice if he or she fulfils the following requirements:
 1. The holder submits a completed application in the form provided by the Registrar.
 2. The holder pays the membership fee for a certificate of registration authorizing independent practice.
 3. The holder is not in default of any obligation to the College.
 4. The holder has met the terms, conditions and limitations set out in subsection 21 (1).

Made by:

COUNCIL OF THE COLLEGE OF PHYSIOTHERAPISTS OF ONTARIO:

J. ROBINSON
Registrar

J. SCHLEIFER TAYLOR
President

Date made: January 4, 2006.

12/06

ONTARIO REGULATION 69/06
made under the
MEDICAL RADIATION TECHNOLOGY ACT, 1991

Made: January 6, 2006
Approved: March 1, 2006
Filed: March 6, 2006
Published on e-Laws: March 8, 2006
Printed in *The Ontario Gazette*: March 25, 2006

Amending O. Reg. 866/93
(Registration)

Note: Ontario Regulation 866/93 has previously been amended. Those amendments are listed in the Table of Regulations — Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Subparagraph 1 iii of subsection 4 (1) of Ontario Regulation 866/93 is revoked and the following substituted:

- iii. subject to paragraph 5, offered outside Ontario and considered by the Registration Committee to be substantially similar to, but not equivalent to, a program described in subparagraph i.

2. Subparagraph 1 iii of subsection 4.1 (1) of the Regulation is revoked and the following substituted:

- iii. subject to paragraph 5, offered outside Ontario and considered by the Registration Committee to be substantially similar to, but not equivalent to, a program described in subparagraph i.

Made by:

COUNCIL OF THE COLLEGE OF MEDICAL RADIATION TECHNOLOGISTS OF ONTARIO:

SHEILA M. ROBSON
President

SHARON SABERTON
Registrar

Date made: January 6, 2006.

12/06

ONTARIO REGULATION 70/06

made under the

DENTAL HYGIENE ACT, 1991

Made: January 9, 2006

Approved: March 1, 2006

Filed: March 6, 2006

Published on e-Laws: March 8, 2006

Printed in *The Ontario Gazette*: March 25, 2006

Amending O. Reg. 218/94
(General)

Note: Ontario Regulation 218/94 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Section 31 of Ontario Regulation 218/94 is amended by adding the following subsections:

(3) A person who, on January 1, 2004, held a licence as a dental hygienist in a Canadian jurisdiction outside Ontario that was not subject to any restrictions, or was registered as a dental hygienist in a Canadian jurisdiction outside Ontario without being subject to any restrictions, shall be deemed to meet the requirements set out in paragraphs 1 to 3 of subsection (1) and, if he or she meets the other requirements for registration, may be issued a general certificate of registration subject to any terms, conditions or limitations that the Registration Committee considers appropriate.

(4) A person who, prior to but not as of January 1, 2004, held a licence as a dental hygienist in a Canadian jurisdiction outside Ontario, or was registered as a dental hygienist in a Canadian jurisdiction outside Ontario, shall be deemed to meet the requirements set out in paragraphs 1 to 3 of subsection (1) if the licence or registration last held by that person was not subject to any restrictions and, if he or she meets the other requirements for registration, may be issued a general certificate of registration subject to any terms, conditions, or limitations that the Registration Committee considers appropriate.

Made by:

COUNCIL OF THE COLLEGE OF DENTAL HYGIENISTS OF ONTARIO:

PEGGY MAGGRAH
President

FRAN RICHARDSON
Registrar

Date made: January 9, 2006.

12/06

ONTARIO REGULATION 71/06

made under the

PHYSIOTHERAPY ACT, 1991

Made: January 4, 2006

Approved: March 1, 2006

Filed: March 6, 2006

Published on e-Laws: March 8, 2006

Printed in *The Ontario Gazette*: March 25, 2006

Revoking O. Reg. 870/93
(Registration)

Note: Ontario Regulation 870/93 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Ontario Regulation 870/93 is revoked.

Made by:

COUNCIL OF THE COLLEGE OF PHYSIOTHERAPISTS OF ONTARIO:

J. ROBINSON
Registrar

J. SCHLEIFER TAYLOR
President

Date made: January 4, 2006.

12/06

ONTARIO REGULATION 72/06

made under the

EDUCATION ACT

Made: March 1, 2006

Filed: March 7, 2006

Published on e-Laws: March 8, 2006

Printed in *The Ontario Gazette*: March 25, 2006

Amending O. Reg. 486/01

(Continuation, Areas of Jurisdiction and Names of District School Boards)

Note: Ontario Regulation 486/01 has previously been amended. Those amendments are listed in the [Table of Regulations – Legislative History Overview](#) which can be found at www.e-Laws.gov.on.ca.

1. (1) Subparagraph 5 ii of section 4 of Ontario Regulation 486/01 is revoked and the following substituted:

- ii. Ward 1 of the local municipality of Sioux Narrows-Nestor Falls,

(2) Subparagraph 6 iv of section 4 of the Regulation is amended by striking out “but excluding the following lands” in the portion after sub-subparagraph D and substituting the following:

but excluding lands within the geographic areas of the local municipalities of Lake of the Woods and Sioux Narrows-Nestor Falls, and

(3) Sub-subparagraphs 6 iv E, F and G of section 4 of the Regulation are revoked.**(4) Paragraph 30 of section 4 of the Regulation is amended by striking out “and” at the end of subparagraph i, by adding “and” and the end of subparagraph ii and by adding the following subparagraph:**

- iii. the portion of the geographic area of the local municipality of South Algonquin that is included in the geographic township of Dickens.

2. (1) Sub-subparagraph 5 iv B of section 7 of the Regulation is amended by striking out “but excluding the following lands” in the portion after sub-sub-subparagraph 4 and substituting the following:

but excluding lands within the geographic areas of the local municipalities of Lake of the Woods and Sioux Narrows-Nestor Falls, and

(2) Sub-sub-subparagraphs 5, 6 and 7 of sub-subparagraph 5 iv B of section 7 of the Regulation are revoked.**(3) Subparagraph 6 ii of section 7 of the Regulation is revoked and the following substituted:**

- ii. Ward 1 of the local municipality of Sioux Narrows-Nestor Falls,

3. (1) Subparagraphs 2 ii, iii and iv of section 10 of the Regulation are revoked and the following substituted:

- ii. the geographic areas of the following local municipalities:

Alberton; Atikokan; Baldwin; Blind River; Bruce Mines; Chapleau; Chapple; Conmee; Dawson; Dorion; Dryden; Dubreuilville; Ear Falls; Elliot Lake; Emo; Espanola; Fort Frances; French River; Gillies; Greater Sudbury; Hilton; Hilton Beach; Huron Shores; Ignace; Jocelyn; Johnson; Kenora; Killarney; Laird; Lake of the Woods; La Vallee; MacDonald, Meredith and Aberdeen Additional; Machin; Manitouwadge; Marathon; Markstay-Warren; Michipicoten; Morley; Nairn and Hyman; Neebing; Nipigon; O'Connor; Oliver Paipoonge; Plummer Additional; Prince; Rainy River; Red Lake; Red Rock; Sables-Spanish Rivers; St.-Charles; St. Joseph; Sault Ste. Marie; Schreiber; Shedden; Shuniah; Sioux Lookout; Sioux Narrows-Nestor Falls; Tarbutt and Tarbutt Additional; Terrace Bay; The North Shore; Thessalon; Thunder Bay; and White River,

(2) Sub-subparagraph 2 viii G of section 10 of the Regulation is amended by striking out “but excluding the following lands” in the portion after sub-sub-subparagraph 4 and substituting the following:

but excluding lands within the geographic areas of the local municipalities of Lake of the Woods and Sioux Narrows-Nestor Falls, and

(3) Sub-sub-subparagraphs 5, 6 and 7 of sub-subparagraph 2 viii G of section 10 of the Regulation are revoked.**(4) Paragraph 4 of section 10 of the Regulation is amended by striking out “and” at the end of subparagraph iii, by adding “and” and the end of subparagraph iv and by adding the following subparagraph:**

- v. the portion of the geographic area of the local municipality of South Algonquin that is included in the geographic township of Dickens.

4. (1) Subparagraphs 4 i, ii and iii of section 13 of the Regulation are revoked and the following substituted:

- i. the geographic areas of the following local municipalities:

Alberton, Chapple, Conmee, Dawson, Dorion, Dryden, Emo, Fort Frances, Gillies, Ignace, Kenora, Lake of the Woods, La Vallée, Machin, Manitouwadge, Marathon, Morley, Neebing, Nipigon, O'Connor, Oliver Paipouge, Rainy River, Red Rock, Schreiber, Shuniah, Sioux Lookout, Sioux Narrows-Nestor Falls, Terrace Bay and Thunder Bay,

(2) Sub-subparagraph 4 vi D of section 13 of the Regulation is amended by striking out "but excluding the following lands" in the portion after sub-sub-subparagraph 4 and substituting the following:

but excluding lands within the geographic areas of the local municipalities of Lake of the Woods and Sioux Narrows-Nestor Falls,

(3) Sub-sub-subparagraphs 5, 6 and 7 of sub-subparagraph 4 vi D of section 13 of the Regulation are revoked.

5. This Regulation comes into force on January 1, 2007.

RÈGLEMENT DE L'ONTARIO 72/06

pris en application de la

LOI SUR L'ÉDUCATION

pris le 1^{er} mars 2006

déposé le 7 mars 2006

publié sur le site Lois-en-ligne le 8 mars 2006

imprimé dans la *Gazette de l'Ontario* le 25 mars 2006

modifiant le Règl. de l'Ont. 486/01

(Prorogation, territoires de compétence et noms des conseils scolaires de district)

Remarque : Le Règlement de l'Ontario 486/01 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des règlements qui se trouve sur le site www.lois-en-ligne.gouv.on.ca.

1. (1) La sous-disposition 5 ii de l'article 4 du Règlement de l'Ontario 486/01 est abrogée et remplacée par ce qui suit :

- ii. le quartier n° 1 de la municipalité locale de Sioux Narrows-Nestor Falls,

(2) La sous-disposition 6 iv de l'article 4 du Règlement est modifiée par substitution de ce qui suit à «à l'exclusion des terres suivantes :» dans le passage qui suit la sous-sous-disposition D :

à l'exclusion des terres situées dans la zone géographique des municipalités locales de Lake of the Woods et de Sioux Narrows-Nestor Falls,

(3) Les sous-sous-dispositions 6 iv E, F et G de l'article 4 du Règlement sont abrogées.

(4) La disposition 30 de l'article 4 du Règlement est modifiée par adjonction de la sous-disposition suivante :

- iii. la partie de la zone géographique de la municipalité locale de South Algonquin qui est comprise dans le canton géographique de Dickens.

2. (1) La sous-sous-disposition 5 iv B de l'article 7 du Règlement est modifiée par substitution de ce qui suit à «à l'exclusion des terres suivantes :» dans le passage qui suit la sous-sous-sous-disposition 4 :

à l'exclusion des terres situées dans la zone géographique des municipalités locales de Lake of the Woods et de Sioux Narrows-Nestor Falls,

(2) Les sous-sous-sous-dispositions 5, 6 et 7 de la sous-sous-disposition 5 iv B de l'article 7 du Règlement sont abrogées.

(3) La sous-disposition 6 ii de l'article 7 du Règlement est abrogée et remplacée par ce qui suit :

- ii. le quartier n° 1 de la municipalité locale de Sioux Narrows-Nestor Falls,

3. (1) Les sous-dispositions 2 ii, iii et iv de l'article 10 du Règlement sont abrogées et remplacées par ce qui suit :

ii. la zone géographique des municipalités locales suivantes :

Alberton; Atikokan; Baldwin; Blind River; Bruce Mines; Chapleau; Chapple; Conmee; Dawson; Dorion; Dryden; Dubreuilville; Ear Falls; Elliot Lake; Emo; Espanola; Fort Frances; Gillies; Grand Sudbury; Hilton; Hilton Beach; Huron Shores; Ignace; Jocelyn; Johnson; Kenora; Killarney; Laird; Lake of the Woods; La Vallee; MacDonald, Meredith and Aberdeen Additional; Machin; Manitouwadge; Marathon; Markstay-Warren; Michipicoten; Morley; Nairn and Hyman; Neebing; Nipigon; O'Connor; Oliver Paipoonge; Plummer Additional; Prince; Rainy River; Red Lake; Red Rock; Rivière des Français; Sables-Spanish Rivers; St.-Charles; St. Joseph; Sault Ste. Marie; Schreiber; Shedden; Shuniah; Sioux Lookout; Sioux Narrows-Nestor Falls; Tarbutt and Tarbutt Additional; Terrace Bay; The North Shore; Thessalon; Thunder Bay; et White River,

(2) La sous-sous-disposition 2 viii G de l'article 10 du Règlement est modifiée par substitution de ce qui suit à «à l'exclusion des terres suivantes :» dans le passage qui suit la sous-sous-disposition 4 :

à l'exclusion des terres situées dans la zone géographique des municipalités locales de Lake of the Woods et de Sioux Narrows-Nestor Falls,

(3) Les sous-sous-sous-dispositions 5, 6 et 7 de la sous-sous-disposition 2 viii G de l'article 10 du Règlement sont abrogées.

(4) La disposition 4 de l'article 10 du Règlement est modifiée par adjonction de la sous-disposition suivante :

v. la partie de la zone géographique de la municipalité locale de South Algonquin qui est comprise dans le canton géographique de Dickens.

4. (1) Les sous-dispositions 4 i, ii et iii de l'article 13 du Règlement sont abrogées et remplacées par ce qui suit :

i. la zone géographique des municipalités locales suivantes :

Alberton; Chapple; Conmee; Dawson; Dorion; Dryden; Emo; Fort Frances; Gillies; Ignace; Kenora; Lake of the Woods; La Vallee; Machin; Manitouwadge; Marathon; Morley; Neebing; Nipigon; O'Connor; Oliver Paipoonge; Rainy River; Red Rock; Schreiber; Shuniah; Sioux Lookout; Sioux Narrows-Nestor Falls; Terrace Bay et Thunder Bay,

(2) La sous-sous-disposition 4 vi D de l'article 13 du Règlement est modifiée par substitution de ce qui suit à «à l'exclusion des terres suivantes :» dans le passage qui suit la sous-sous-disposition 4 :

à l'exclusion des terres situées dans la zone géographique des municipalités locales de Lake of the Woods et de Sioux Narrows-Nestor Falls,

(3) Les sous-sous-sous-dispositions 5, 6 et 7 de la sous-sous-disposition 4 vi D de l'article 13 du Règlement sont abrogées.

5. Le présent règlement entre en vigueur le 1^{er} janvier 2007.

12/06

ONTARIO REGULATION 73/06

made under the

EDUCATION ACT

Made: March 1, 2006

Filed: March 7, 2006

Published on e-Laws: March 8, 2006

Printed in *The Ontario Gazette*: March 25, 2006

Amending Reg. 291 of R.R.O. 1990

(District School Areas)

Note: Regulation 291 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Regulation 291 of the Revised Regulations of Ontario, 1990 is amended by adding the following section:

THE MURCHISON AND LYELL DISTRICT SCHOOL AREA

8.1 The portion of the geographic township of Murchison in the local municipality of South Algonquin in the Territorial District of Nipissing that is not in the Murchison and Lyell District School Area is added to that district school area.

2. This Regulation comes into force on January 1, 2007.

12/06

ONTARIO REGULATION 74/06

made under the

EDUCATION ACT

Made: March 1, 2006

Filed: March 7, 2006

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Amending O. Reg. 412/00

(Elections to and Representation on District School Boards)

Note: Ontario Regulation 412/00 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Subsection 1 (2) of Ontario Regulation 412/00 is amended by adding the following paragraphs:

3. For the purposes of the 2006 regular election in the local municipality of Sioux Narrows-Nestor Falls, a reference in this regulation to a municipality or ward shall be deemed, with respect to the election of members of a board, to be a reference to the municipality or ward with the boundaries that will apply for the purposes of the election, as determined on the date Ontario Regulation 74/06 is filed.
4. For the purposes of the 2006 regular election in the local municipality of South Algonquin, a reference in this regulation to a municipality or ward shall be deemed, with respect to the election of members of the Renfrew County District School Board and the Conseil scolaire de district des écoles publiques de langue française n° 59, to be a reference to the municipality or ward with the boundaries that will apply for the purposes of the election, as determined on the date Ontario Regulation 74/06 is filed.

2. (1) Item 5 of Table 1 to the Regulation is revoked and the following substituted:

| | | |
|----|---|-------|
| 5. | Keewatin-Patricia District School Board | 6,735 |
|----|---|-------|

(2) Item 30 of Table 1 to the Regulation is revoked and the following substituted:

| | | |
|-----|--------------------------------------|-------|
| 30. | Renfrew County District School Board | 8,073 |
|-----|--------------------------------------|-------|

(3) Item 37 of Table 1 to the Regulation is revoked and the following substituted:

| | | |
|-----|---------------------------------------|-------|
| 37. | Kenora Catholic District School Board | 1,836 |
|-----|---------------------------------------|-------|

(4) Item 62 of Table 1 to the Regulation is revoked and the following substituted:

| | | |
|-----|---|--------|
| 62. | Conseil scolaire de district du Grand Nord de l'Ontario | 63,225 |
|-----|---|--------|

(5) Item 64 of Table 1 to the Regulation is revoked and the following substituted:

| | | |
|-----|---|--------|
| 64. | Conseil scolaire de district des écoles publiques de langue française n° 59 | 37,374 |
|-----|---|--------|

(6) Item 68 of Table 1 to the Regulation is revoked and the following substituted:

| | | |
|-----|--|--------|
| 68. | Conseil scolaire de district catholique des Aurores boréales | 36,984 |
|-----|--|--------|

3. This Regulation comes into force on January 1, 2007.

RÈGLEMENT DE L'ONTARIO 74/06

pris en application de la

LOI SUR L'ÉDUCATIONpris le 1^{er} mars 2006

déposé le 7 mars 2006

publié sur le site Lois-en-ligne le 8 mars 2006

imprimé dans la *Gazette de l'Ontario* le 25 mars 2006

modifiant le Règl. de l'Ont. 412/00

(Élections aux conseils scolaires de district et représentation au sein de ces conseils)

Remarque : Le Règlement de l'Ontario 412/00 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des règlements qui se trouve sur le site www.lois-en-ligne.gouv.on.ca.

1. Le paragraphe 1 (2) du Règlement de l'Ontario 412/00 est modifié par adjonction des dispositions suivantes :

3. Aux fins des élections ordinaires de 2006 tenues dans la municipalité locale de Sioux Narrows-Nestor Falls, la mention d'une municipalité ou d'un quartier dans le présent règlement est réputée, à l'égard des élections au conseil, une mention de la municipalité ou du quartier dont les limites, fixées à la date de dépôt du Règlement de l'Ontario 74/06, s'appliquent aux fins de ces élections.
4. Aux fins des élections ordinaires de 2006 tenues dans la municipalité locale de South Algonquin, la mention d'une municipalité ou d'un quartier dans le présent règlement est réputée, à l'égard des élections au Renfrew County District School Board et au Conseil scolaire de district des écoles publiques de langue française n° 59, une mention de la municipalité ou du quartier dont les limites, fixées à la date de dépôt du Règlement de l'Ontario 74/06, s'appliquent aux fins de ces élections.

2. (1) Le point 5 du tableau 1 du Règlement est abrogé et remplacé par ce qui suit :

| | | |
|----|---|-------|
| 5. | Keewatin-Patricia District School Board | 6 735 |
|----|---|-------|

(2) Le point 30 du tableau 1 du Règlement est abrogé et remplacé par ce qui suit :

| | | |
|-----|--------------------------------------|-------|
| 30. | Renfrew County District School Board | 8 073 |
|-----|--------------------------------------|-------|

(3) Le point 37 du tableau 1 du Règlement est abrogé et remplacé par ce qui suit :

| | | |
|-----|---------------------------------------|-------|
| 37. | Kenora Catholic District School Board | 1 836 |
|-----|---------------------------------------|-------|

(4) Le point 62 du tableau 1 du Règlement est abrogé et remplacé par ce qui suit :

| | | |
|-----|---|--------|
| 62. | Conseil scolaire de district du Grand Nord de l'Ontario | 63 225 |
|-----|---|--------|

(5) Le point 64 du tableau 1 du Règlement est abrogé et remplacé par ce qui suit :

| | | |
|-----|---|--------|
| 64. | Conseil scolaire de district des écoles publiques de langue française n° 59 | 37 374 |
|-----|---|--------|

(6) Le point 68 du tableau 1 du Règlement est abrogé et remplacé par ce qui suit :

| | | |
|-----|--|--------|
| 68. | Conseil scolaire de district catholique des Aurores boréales | 36 984 |
|-----|--|--------|

3. Le présent règlement entre en vigueur le 1^{er} janvier 2007.

12/06

ONTARIO REGULATION 75/06

made under the

PUBLIC SERVICE ACT

Made: January 13, 2006

Approved: March 1, 2006

Filed: March 9, 2006

Published on e-Laws: March 13, 2006

Printed in *The Ontario Gazette*: March 25, 2006

Amending Reg. 977 of R.R.O. 1990
(General)

Note: Regulation 977 has previously been amended. Those amendments are listed in the Table of Regulations — Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. The definition of “premium payment” in subsection 1 (2) of Regulation 977 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

“premium payment” includes any payment for overtime, travel time, shift premiums and management responsibility supplements.

2. Section 10.20 of the Regulation is revoked and the following substituted:

MANAGEMENT RESPONSIBILITY SUPPLEMENTS

10.20 (1) An employee described in subsection (3) is entitled to be paid a management responsibility supplement in the circumstances described in subsection (4), (5) or (6).

(2) An employee who is entitled to be paid overtime when he or she works in the circumstances described in subsection (4), (5) or (6) is not entitled to be paid a management responsibility supplement for the same period of work.

(3) Employees are entitled to a management responsibility supplement under this section,

(a) if they are employed in a class of position that falls within the Management Compensation Plan; and

(b) if, when they are working in the circumstances described in subsection (4), (5) or (6), they are engaged in supervising any member of the correctional bargaining unit who is entitled to a shift premium under a collective agreement that applies exclusively with respect to that bargaining unit.

(4) An employee is entitled to be paid a management responsibility supplement of \$1 per hour, instead of the shift premium described in subsection 10.19 (5),

(a) for the time that he or she works between 5 p.m. and midnight; or

(b) if more than half of the time he or she works on a shift falls between 5 p.m. and midnight, for the time that he or she works on the shift.

(5) An employee is entitled to be paid a management responsibility supplement of \$1.50 per hour, instead of the shift premium described in subsection 10.19 (6),

(a) for the time that he or she works between midnight and 7 a.m.; or

(b) if more than half of the time that he or she works on a shift falls between midnight and 7 a.m., for the time that he or she works on the shift.

(6) An employee is entitled to be paid a management responsibility supplement of \$3.50 per hour for all hours that begin at or after 7 p.m. on a Friday and end at or before 7 a.m. on a Monday. This management responsibility supplement is payable in addition to any management responsibility supplement payable under subsection (4) or (5).

(7) Employees are entitled to be paid a management responsibility supplement at the rate specified under subsection (6) for work performed on and after June 24, 2005.

(8) Employees who are paid a management responsibility supplement for work performed on or after June 24, 2005 are not entitled to be paid a special shift premium under subsection (6) as it read immediately before it was remade by this Regulation, but if an employee has been paid a special shift premium, the employee is entitled to be paid the difference, if any, between the special shift premium and management responsibility supplement.

(9) Despite subsection (3), employees are not entitled to compensation under this section if they are represented by the Association of Law Officers of the Crown, the Association of Ontario Physicians and Dentists in the Public Service, the Commissioned Officers' Association or the Ontario Crown Attorney's Association.

Made by:

CIVIL SERVICE COMMISSION:

MICHELLE DIEMANUELE
Chair of Civil Service Commission

KIM BELLISSIMO
Secretary of Civil Service Commission

Date made: January 13, 2006.

12/06

ONTARIO REGULATION 76/06

made under the

COURTS OF JUSTICE ACT

Made: January 25, 2006
Approved: March 9, 2006
Filed: March 10, 2006
Published on e-Laws: March 13, 2006
Printed in *The Ontario Gazette*: March 25, 2006

Amending O. Reg. 114/99
(Family Law Rules)

Note: Ontario Regulation 114/99 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. (1) Subrule 1 (9) of Ontario Regulation 114/99 is revoked and the following substituted:

REFERENCE TO FORMS

(9) In these rules, when a form is referred to by number, the reference is to the form with that number that is described in the Table of Forms at the end of these rules and is available on the Internet through www.ontariocourtforms.on.ca.

USE OF FORMS

(9.1) The forms authorized by these rules and set out in the Table of Forms shall be used where applicable and may be adjusted as needed to fit the situation.

(2) Subrule 1 (14) of the Regulation is revoked.

2. The definition of “continuing record” in subrule 2 (1) of the Regulation is revoked and the following substituted:

“continuing record” means the record made under Rule 9 containing, in accordance with these rules, written documents in a case that are filed with the court; (“dossier continu”)

3. Subrule 3 (6) of the Regulation is amended by striking out “or” at the end of clause (d), by adding “or” at the end of clause (e) and by adding the following clause:

(f) rule 41 (case management in the Superior Court of Justice (other than the Family Court of the Superior Court of Justice)).

4. (1) Paragraph 2 of subrule 9 (2) of the Regulation is revoked and the following substituted:

2. An uncontested divorce case in which divorce only is claimed, except that if the respondent files an answer, the respondent shall start the continuing record on filing the answer.

(2) Subrule 9 (4) of the Regulation is revoked and the following substituted:

CHILD PROTECTION CONTINUING RECORD

(4) In an application for a child protection order or an application for a status review of a child protection order, the continuing record shall be called the child protection continuing record.

(3) Subrule 9 (5) of the Regulation is revoked.

(4) Subrule 9 (6) of the Regulation is revoked and the following substituted:

FORMAL REQUIREMENTS OF CONTINUING RECORD

(6) In preparing and maintaining a continuing record and support enforcement continuing record under this rule, the parties shall meet the requirements set out in the document entitled "Formal Requirements of the Continuing Record under the *Family Law Rules*", dated November 1, 2005, published by the Family Rules Committee and available on the Internet through www.ontariocourtforms.on.ca.

FORMAL REQUIREMENTS OF CHILD PROTECTION CONTINUING RECORD

(6.1) In preparing and maintaining a child protection continuing record under this rule, the parties shall meet the requirements set out in the document entitled "Formal Requirements of the Child Protection Continuing Record under the *Family Law Rules*", dated November 1, 2005, published by the Family Rules Committee and available on the Internet through www.ontariocourtforms.on.ca.

(5) Paragraph 1 of subrule 9 (7) of the Regulation is amended by striking out "In any case" at the beginning and substituting "In a case other than a child protection case".

(6) Subrule 9 (23) of the Regulation is revoked and the following substituted:

TRANSITIONAL PROVISION, CASES IN FAMILY COURT OF SUPERIOR COURT OF JUSTICE OR ONTARIO COURT OF JUSTICE

(23) Despite this rule, a case started in the Family Court of the Superior Court of Justice or the Ontario Court of Justice,

- (a) before July 1, 2004, continues to be governed by this rule as it read on June 30, 2004, subject to subrule (24);
- (b) on or after July 1, 2004 and before May 1, 2006, continues to be governed by this rule as it read on April 30, 2006.

TRANSITIONAL PROVISION, EXCEPTIONS

(24) Where a case was started in the Family Court of the Superior Court of Justice or the Ontario Court of Justice before July 1, 2004,

- (a) a party in a case other than a child protection case may request that the continuing record be separated under paragraph 1 of subrule (7), and if the record is separated this rule applies to all documents filed thereafter;
- (b) this rule, as it read on April 30, 2006, continues to govern the case if the continuing record was separated on or after July 1, 2004 and before May 1, 2006.

5. (1) Subrule 13 (1.4) of the Regulation is revoked.

(2) Paragraph 1 of subrule 13 (4) of the Regulation is amended by adding "(Form 13 or 13.1)" after "financial statement".

(3) Rule 13 of the Regulation is amended by adding the following subrule:

FINANCIAL STATEMENT WITH MOTION TO REFRAIN

(5.1) A payor who makes a motion to require the Director of the Family Responsibility Office to refrain from suspending the payor's driver's licence shall, in accordance with subsection 35 (7) of the *Family Responsibility and Support Arrears Enforcement Act, 1996*, serve and file with the notice of motion,

- (a) a financial statement (Form 13 or 13.1) or a financial statement incorporated as Form 4 in Ontario Regulation 167/97 (General) made under that Act; and
- (b) the proof of income specified in section 15 of the regulation referred to in clause (a).

(4) Subrules 13 (7) and (7.1) of the Regulation are revoked and the following substituted:

NOTICES OF ASSESSMENT REQUIRED

- (7) The clerk shall not accept a party's financial statement for filing unless,
- (a) copies of the party's notices of assessment for the three previous taxation years are attached as the form requires;
 - (b) the financial statement contains the party's signed direction to the Canada Revenue Agency (Form 13A) for disclosure of the party's income and deduction printouts; or
 - (c) the financial statement contains a sworn statement that the party is not required to file an income tax return because of the *Indian Act* (Canada).

EXCEPTION

- (7.0.1) Subrule (7) does not apply to a financial statement filed under subrule (5.1).

INCOME TAX RETURNS

(7.1) Except in the case of a filing under subrule (5.1), income tax returns submitted in accordance with these rules are not required to be filed in the continuing record unless the court orders otherwise.

6. Subclause 25 (11) (b) (i) of the Regulation is revoked and the following substituted:

- (i) if it is a support deduction order or alternative payment order under the *Family Responsibility and Support Arrears Enforcement Act, 1996* or an order under the *Interjurisdictional Support Orders Act, 2002*, or

7. Subrule 29 (29) of the Regulation is amended by striking out "within 10 days" in the portion before clause (a) and substituting "within 10 days of the clerk notifying the recipient or the Director that a notice under subrule (26) was received".

8. (1) Subrule 30 (8) of the Regulation is amended by striking out "clause 41 (9) (g) or (h)" and substituting "clause 41 (10) (h) or (i)".

(2) Subrule 30 (9) of the Regulation is amended by striking out "subsection 41 (13) (variation of order)" and substituting "subsection 41 (15) (power to change order)".

9. Subrule 33 (5) of the Regulation is amended by striking out "the case conference" and substituting "a conference".

10. (1) Paragraph 6 of subrule 38 (2) of the Regulation is revoked and the following substituted:

- 6. The time period referred to in subrule 62.02 (2) for serving the notice of motion for leave to appeal shall be 30 days.

(2) Subrule 38 (24) of the Regulation is revoked and the following substituted:

PROMPT HEARING OF CFSA APPEALS

(24) An appeal under the *Child and Family Services Act* shall be heard within 60 days after the appellant's factum and appeal record are filed.

(3) Subrule 38 (34) of the Regulation is amended by adding at the end "made under the temporary or final order".

11. (1) Subrule 39 (2) of the Regulation is amended by striking out "or" at the end of clause (b), by adding "or" at the end of clause (c) and by adding the following clause:

- (d) secure treatment cases under Part VI of the *Child and Family Services Act*.

(2) Subrule 39 (9) of the Regulation is amended by striking out "and" at the end of clause (d), by adding "and" at the end of clause (c) and by revoking clause (e).

(3) Rule 39 of the Regulation is amended by adding the following subrule:

JUDGE MAY SET CLERK'S ORDER ASIDE

- (14.1) The case management judge or another judge may, on motion, set aside an order of the clerk under subrule (12).

12. Subrule 40 (2) of the Regulation is amended by striking out "or" at the end of clause (b), by adding "or" at the end of clause (c) and by adding the following clause:

- (d) secure treatment cases under Part VI of the *Child and Family Services Act*.

13. Rule 41 of the Regulation is amended by adding the following subrule:

JUDGE MAY SET CLERK'S ORDER ASIDE

- (9) A judge may, on motion, set aside an order of the clerk under subrule (6).

14. The Table of Forms to the Regulation is revoked and the following substituted:

TABLE OF FORMS

| Form Number | Form Title | Date of Form |
|-------------|---|-------------------|
| 4 | Notice of change in representation | September 1, 2005 |
| 6 | Acknowledgment of service | September 1, 2005 |
| 6A | Advertisement | September 1, 2005 |
| 6B | Affidavit of service | September 1, 2005 |
| 8 | Application (general) | September 1, 2005 |
| 8A | Application (divorce) | September 1, 2005 |
| 8B | Application (child protection and status review) | September 1, 2005 |
| 8C | Application (secure treatment) | September 1, 2005 |
| 8D | Application (adoption) | September 1, 2005 |
| 8D.1 | Application (dispense with parent's consent to adoption before placement) | September 1, 2005 |
| 8E | Summary of court cases | September 1, 2005 |
| 10 | Answer | September 1, 2005 |
| 10A | Reply | September 1, 2005 |
| 12 | Notice of withdrawal | September 1, 2005 |
| 13 | Financial statement (support claims) | September 1, 2005 |
| 13.1 | Financial statement (property and support claims) | September 1, 2005 |
| 13A | Direction to Canada Revenue Agency | September 1, 2005 |
| 13B | Net family property statement | September 1, 2005 |
| 14 | Notice of motion | September 1, 2005 |
| 14A | Affidavit (general) | September 1, 2005 |
| 14B | Motion form | September 1, 2005 |
| 14C | Confirmation | September 1, 2005 |
| 14D | Order on motion without notice | September 1, 2005 |
| 15 | Change information form (motion to change child support) | September 1, 2005 |
| 15A | Consent (motion to change child support) | September 1, 2005 |
| 17 | Conference notice | September 1, 2005 |
| 17A | Case conference brief — General | September 1, 2005 |
| 17B | Case conference brief for protection application or status review | September 1, 2005 |
| 17C | Settlement conference brief — General | September 1, 2005 |
| 17D | Settlement conference brief for protection application or status review | September 1, 2005 |
| 17E | Trial management conference brief | September 1, 2005 |
| 20 | Request for information | September 1, 2005 |
| 20A | Authorization to commissioner | September 1, 2005 |
| 20B | Letter of request | September 1, 2005 |
| 22 | Request to admit | September 1, 2005 |
| 22A | Response to request to admit | September 1, 2005 |
| 23 | Summons to witness | September 1, 2005 |
| 23A | Summons to witness outside Ontario | September 1, 2005 |
| 23B | Order for prisoner's attendance | September 1, 2005 |
| 23C | Affidavit for uncontested trial | September 1, 2005 |
| 25 | Order (general) | September 1, 2005 |
| 25A | Divorce order | September 1, 2005 |
| 25B | Secure treatment order | September 1, 2005 |
| 25C | Adoption order | September 1, 2005 |
| 25D | Order (uncontested trial) | September 1, 2005 |
| 25E | Notice disputing approval of order | September 1, 2005 |
| 26 | Statement of money owed | September 1, 2005 |
| 26A | Affidavit of enforcement expenses | September 1, 2005 |
| 26B | Affidavit for filing domestic contract or paternity agreement with court | September 1, 2005 |
| 26C | Notice of transfer of enforcement | September 1, 2005 |
| 27 | Request for financial statement | September 1, 2005 |
| 27A | Request for statement of income | September 1, 2005 |
| 27B | Statement of income from income source | September 1, 2005 |
| 27C | Appointment for financial examination | September 1, 2005 |
| 28 | Writ of seizure and sale | September 1, 2005 |
| 28A | Request for writ of seizure and sale | September 1, 2005 |
| 28B | Statutory declaration to sheriff | September 1, 2005 |
| 28C | Writ of temporary seizure | September 1, 2005 |
| 29 | Request for garnishment | September 1, 2005 |

| Form Number | Form Title | Date of Form |
|-------------|---|-------------------|
| 29A | Notice of garnishment (lump-sum debt) | September 1, 2005 |
| 29B | Notice of garnishment (periodic debt) | September 1, 2005 |
| 29C | Notice to co-owner of debt | September 1, 2005 |
| 29D | Statutory declaration of indexed support | September 1, 2005 |
| 29E | Dispute (payor) | September 1, 2005 |
| 29F | Dispute (garnishee) | September 1, 2005 |
| 29G | Dispute (co-owner of debt) | September 1, 2005 |
| 29H | Notice of garnishment hearing | September 1, 2005 |
| 29I | Notice to stop garnishment | September 1, 2005 |
| 29J | Statement to garnishee financial institution re support | September 1, 2005 |
| 30 | Notice of default hearing | September 1, 2005 |
| 30A | Request for default hearing | September 1, 2005 |
| 30B | Default dispute | September 1, 2005 |
| 31 | Notice of contempt motion | September 1, 2005 |
| 32 | Bond (recognizance) | September 1, 2005 |
| 32A | Notice of forfeiture motion | September 1, 2005 |
| 32B | Warrant for arrest | September 1, 2005 |
| 32C | Affidavit for warrant of committal | September 1, 2005 |
| 32D | Warrant of committal | September 1, 2005 |
| 33 | Information for warrant to apprehend child | September 1, 2005 |
| 33A | Warrant to apprehend child | September 1, 2005 |
| 33B | Plan of care for child(ren) (Children's Aid Society) | September 1, 2005 |
| 33B.1 | Answer and plan of care (Parties other than Children's Aid Society) | September 1, 2005 |
| 33C | Statement of agreed facts (child protection) | September 1, 2005 |
| 33D | Statement of agreed facts (status review) | September 1, 2005 |
| 33E | Child's consent to secure treatment | September 1, 2005 |
| 33F | Consent to secure treatment (person other than child) | September 1, 2005 |
| 34 | Child's consent to adoption | September 1, 2005 |
| 34A | Affidavit of parentage | September 1, 2005 |
| 34B | Non-parent's consent to adoption by spouse | September 1, 2005 |
| 34C | Director's or local director's statement on adoption | September 1, 2005 |
| 34D | Affidavit of adoption applicant(s) | September 1, 2005 |
| 34E | Director's consent to adoption | September 1, 2005 |
| 34F | Parent's or custodian's consent to adoption | September 1, 2005 |
| 34G | Affidavit of adoption licensee or society employee | September 1, 2005 |
| 34H | Affidavit of adopting relative or stepparent | September 1, 2005 |
| 34I | Parent's consent to adoption by spouse | September 1, 2005 |
| 34J | Affidavit of execution and independent legal advice (Children's Lawyer) | September 1, 2005 |
| 34K | Certificate of clerk (adoption) | September 1, 2005 |
| 36 | Affidavit for divorce | September 1, 2005 |
| 36A | Certificate of clerk (divorce) | September 1, 2005 |
| 36B | Certificate of divorce | September 1, 2005 |
| 37 | Notice of hearing | September 1, 2005 |
| 37A | Information sheet | September 1, 2005 |
| 37B | Direction to request further information | September 1, 2005 |
| 37C | Notice of continuation of hearing | September 1, 2005 |
| 37D | Notice of registration of order | September 1, 2005 |
| 37E | Notice for taking further evidence | September 1, 2005 |
| 38 | Notice of appeal | September 1, 2005 |
| 39 | Notice of approaching dismissal | September 1, 2005 |

15. Forms 4 to 39 of the Regulation are revoked.

16. This Regulation comes into force on May 1, 2006.

RÈGLEMENT DE L'ONTARIO 76/06

pris en application de la

LOI SUR LES TRIBUNAUX JUDICIAIRES

pris le 25 janvier 2006

approuvé le 9 mars 2006

déposé le 10 mars 2006

publié sur le site Lois-en-ligne le 13 mars 2006

imprimé dans la *Gazette de l'Ontario* le 25 mars 2006

modifiant le Règl. de l'Ont. 114/99

(Règles en matière de droit de la famille)

Remarque : Le Règlement de l'Ontario 114/99 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des règlements qui se trouve sur le site www.lois-en-ligne.gouv.on.ca.

1. (1) Le paragraphe 1 (9) du Règlement de l'Ontario 114/99 est abrogé et remplacé par ce qui suit :

MENTION DE FORMULES

(9) Dans les présentes règles, lorsqu'une formule est mentionnée par numéro, la mention renvoie à la formule portant ce numéro qui est mentionnée dans le tableau des formules figurant à la fin des présentes règles et qui est accessible sur Internet via www.ontariocourtforms.on.ca.

EMPLOI DES FORMULES

(9.1) Les formules autorisées par les présentes règles et figurant au tableau des formules sont utilisées s'il y a lieu et peuvent être adaptées au besoin en fonction de la situation.

(2) Le paragraphe 1 (14) du Règlement est abrogé.

2. La définition de «dossier continu» au paragraphe 2 (1) du Règlement est abrogée et remplacée par ce qui suit :

«dossier continu» Le dossier constitué en application de la règle 9 et renfermant, conformément aux présentes règles, les documents écrits se rapportant à une cause qui sont déposés auprès du tribunal. («continuing record»)

3. Le paragraphe 3 (6) du Règlement est modifié par adjonction de l'alinéa suivant :

f) la règle 41 (gestion des causes portées devant la Cour supérieure de justice (autres que celles portées devant la Cour de la famille de la Cour supérieure de justice)).

4. (1) La disposition 2 du paragraphe 9 (2) du Règlement est abrogée et remplacée par ce qui suit :

2. La cause est un divorce non contesté dans laquelle seule une demande de divorce est présentée, sauf que, si l'intimé dépose une défense, il ouvre le dossier continu au moment du dépôt.

(2) Le paragraphe 9 (4) du Règlement est abrogé et remplacé par ce qui suit :

DOSSIER CONTINU PORTANT SUR LA PROTECTION D'UN ENFANT

(4) Dans le cadre d'une requête en vue d'obtenir une ordonnance de protection d'un enfant ou d'une demande de révision du statut d'une ordonnance de protection d'un enfant, le dossier continu est appelé dossier continu portant sur la protection d'un enfant.

(3) Le paragraphe 9 (5) du Règlement est abrogé.

(4) Le paragraphe 9 (6) du Règlement est abrogé et remplacé par ce qui suit :

EXIGENCES DE FORME RELATIVES AU DOSSIER CONTINU

(6) Lorsqu'elles établissent et tiennent un dossier continu et un dossier continu d'exécution d'une ordonnance alimentaire en application de la présente règle, les parties remplissent les exigences énoncées dans le document intitulé «Exigences de forme relatives au dossier continu selon les *Règles en matière de droit de la famille*», daté du 1^{er} novembre 2005, publié par le Comité des règles en matière de droit de la famille et accessible sur Internet via www.ontariocourtforms.on.ca.

EXIGENCES DE FORME RELATIVES AU DOSSIER CONTINU PORTANT SUR LA PROTECTION D'UN ENFANT

(6.1) Lorsqu'elles établissent et tiennent un dossier continu portant sur la protection d'un enfant en application de la présente règle, les parties remplissent les exigences énoncées dans le document intitulé «Exigences de forme relatives au dossier continu portant sur la protection d'un enfant selon les *Règles en matière de droit de la famille*», daté du 1^{er} novembre 2005, publié par le Comité des règles en matière de droit de la famille et accessible sur Internet via www.ontariocourtforms.on.ca.

(5) La disposition 1 du paragraphe 9 (7) du Règlement est modifiée par substitution de «Dans une cause autre qu'une cause portant sur la protection d'un enfant,» à «Dans toute cause,» au début du paragraphe.

(6) Le paragraphe 9 (23) du Règlement est abrogé et remplacé par ce qui suit :

DISPOSITION TRANSITOIRE : CAUSES DEVANT LA COUR DE LA FAMILLE DE LA COUR SUPÉRIEURE DE JUSTICE OU DEVANT LA COUR DE JUSTICE DE L'ONTARIO

(23) Malgré la présente règle, les causes introduites devant la Cour de la famille de la Cour supérieure de justice ou devant la Cour de justice de l'Ontario :

- a) avant le 1^{er} juillet 2004, continuent d'être régies par la présente règle, telle qu'elle existait le 30 juin 2004, sous réserve du paragraphe (24);
- b) à partir du 1^{er} juillet 2004 mais avant le 1^{er} mai 2006, continuent d'être régies par la présente règle, telle qu'elle existait le 30 avril 2006.

DISPOSITION TRANSITOIRE : EXCEPTIONS

(24) Si une cause a été introduite devant la Cour de la famille de la Cour supérieure de justice ou devant la Cour de justice de l'Ontario avant le 1^{er} juillet 2004 :

- a) une partie dans une cause autre qu'une cause portant sur la protection d'un enfant peut demander que le dossier continu soit séparé aux termes de la disposition 1 du paragraphe (7), auquel cas la présente règle s'applique aux documents déposés par la suite;
- b) la présente règle, telle qu'elle existait le 30 avril 2006, continue de régir la cause si le dossier continu a été séparé le 1^{er} juillet 2004 ou par la suite mais avant le 1^{er} mai 2006.

5. (1) Le paragraphe 13 (1.4) du Règlement est abrogé.

(2) La disposition 1 du paragraphe 13 (4) du Règlement est modifiée par insertion de «(formule 13 ou 13.1)» après «état financier».

(3) La règle 13 du Règlement est modifiée par adjonction du paragraphe suivant :

ÉTAT FINANCIER JOINT À UNE MOTION VISANT À OBTENIR UNE ORDONNANCE RESTRICTIVE

(5.1) Le payeur qui présente une motion en vue d'enjoindre au directeur du Bureau des obligations familiales de ne pas suspendre son permis de conduire signifie et dépose, conformément au paragraphe 35 (7) de la *Loi de 1996 sur les obligations familiales et l'exécution des arriérés d'aliments*, avec l'avis de motion, ce qui suit :

- a) un état financier (formule 13 ou 13.1) ou un état financier rédigé selon la formule 4 incorporée dans le Règlement de l'Ontario 167/97 (Dispositions générales) pris en application de cette loi;
- b) les preuves relatives à son revenu précisées à l'article 15 du règlement visé à l'alinéa a).

(4) Les paragraphes 13 (7) et (7.1) du Règlement sont abrogés et remplacés par ce qui suit :

AVIS DE COTISATION REQUIS

(7) Le greffier ne peut accepter le dépôt de l'état financier d'une partie sans que, selon le cas :

- a) des copies des avis de cotisation de la partie relatifs aux trois années d'imposition précédentes soient jointes comme l'exige la formule;
- b) l'état financier comprenne une directive de la partie signée à l'intention de l'Agence du revenu du Canada (formule 13A) aux fins de divulgation des imprimés des revenus et déductions de la partie;
- c) l'état financier comprenne une déclaration sous serment selon laquelle la partie n'est pas tenue de déposer une déclaration de revenus en raison de la *Loi sur les Indiens* (Canada).

EXCEPTION

(7.0.1) Le paragraphe (7) ne s'applique pas à l'état financier déposé en application du paragraphe (5.1).

DÉCLARATIONS DE REVENUS

(7.1) Sauf dans le cas d'un dépôt fait en application du paragraphe (5.1), les déclarations de revenus présentées conformément aux présentes règles n'ont pas besoin d'être déposées dans le dossier continu, sauf ordonnance contraire du tribunal.

6. Le sous-alinéa 25 (11) b) (i) du Règlement est abrogé et remplacé par ce qui suit :

- (i) s'il s'agit d'une ordonnance de retenue des aliments ou d'une ordonnance de paiement de remplacement rendue en vertu de la *Loi de 1996 sur les obligations familiales et l'exécution des arriérés d'aliments* ou d'une ordonnance rendue en vertu de la *Loi de 2002 sur les ordonnances alimentaires d'exécution réciproque*,

7. Le paragraphe 29 (29) du Règlement est modifié par substitution de «au plus tard 10 jours après qu'il avise le bénéficiaire ou le directeur de la réception de l'avis mentionné au paragraphe (26)» à «dans les 10 jours» dans le passage qui précède l'alinéa a).

8. (1) Le paragraphe 30 (8) du Règlement est modifié par substitution de «l'alinéa 41 (10) h) ou i)» à «l'alinéa 41 (9) g) ou h)».

(2) Le paragraphe 30 (9) du Règlement est modifié par substitution de «paragraphe 41 (15)» à «paragraphe 41 (13)».

9. Le paragraphe 33 (5) du Règlement est modifié par substitution de «une conférence» à «la conférence relative à la cause».

10. (1) La disposition 6 du paragraphe 38 (2) du Règlement est abrogée et remplacée par ce qui suit :

- 6. Le délai prévu au paragraphe 62.02 (2) pour la signification de l'avis de motion en autorisation d'interjeter appel est de 30 jours.

(2) Le paragraphe 38 (24) du Règlement est abrogé et remplacé par ce qui suit :

APPELS INTERJETÉS EN VERTU DE LA LOI SUR LES SERVICES À L'ENFANCE ET À LA FAMILLE ENTENDUS PROMPTEMENT

(24) L'appel interjeté en vertu de la *Loi sur les services à l'enfance et à la famille* est entendu au plus tard 60 jours après que le mémoire et le dossier d'appel de l'appelant sont déposés.

(3) Le paragraphe 38 (34) du Règlement est modifié par insertion de «rendue dans le cadre de l'ordonnance temporaire ou définitive» à la fin du paragraphe.

11. (1) Le paragraphe 39 (2) du Règlement est modifié par adjonction de l'alinéa suivant :

- d) aux causes portant sur les programmes de traitement en milieu fermé visées par la partie VI de la *Loi sur les services à l'enfance et à la famille*.

(2) Le paragraphe 39 (9) du Règlement est modifié par abrogation de l'alinéa e).

(3) La règle 39 du Règlement est modifiée par adjonction du paragraphe suivant :

ANNULATION DE L'ORDONNANCE PAR UN JUGE

(14.1) Le juge responsable de la gestion de la cause ou un autre juge peut, sur motion, annuler une ordonnance du greffier rendue aux termes du paragraphe (12).

12. Le paragraphe 40 (2) du Règlement est modifié par adjonction de l'alinéa suivant :

- d) aux causes portant sur les programmes de traitement en milieu fermé visées par la partie VI de la *Loi sur les services à l'enfance et à la famille*.

13. La règle 41 du Règlement est modifiée par adjonction du paragraphe suivant :

ANNULATION DE L'ORDONNANCE PAR UN JUGE

(9) Un juge peut, sur motion, annuler une ordonnance du greffier rendue aux termes du paragraphe (6).

14. Le tableau des formules du Règlement est abrogé et remplacé par ce qui suit :**TABLEAU DES FORMULES**

| Numéro de la formule | Titre de la formule | Date de la formule |
|----------------------|---|--------------------------------|
| 4 | Avis de changement de représentation | 1 ^{er} septembre 2005 |
| 6 | Accusé de réception de la signification | 1 ^{er} septembre 2005 |
| 6A | Annonce | 1 ^{er} septembre 2005 |
| 6B | Affidavit de signification | 1 ^{er} septembre 2005 |
| 8 | Requête (formule générale) | 1 ^{er} septembre 2005 |
| 8A | Requête en divorce | 1 ^{er} septembre 2005 |
| 8B | Requête (protection d'un enfant et révision de statut) | 1 ^{er} septembre 2005 |
| 8C | Requête (traitement en milieu fermé et prorogation du traitement en milieu fermé) | 1 ^{er} septembre 2005 |
| 8D | Requête en adoption | 1 ^{er} septembre 2005 |
| 8D.1 | Requête (dispense du consentement du père ou de la mère à l'adoption avant le placement) | 1 ^{er} septembre 2005 |
| 8E | Résumé des causes | 1 ^{er} septembre 2005 |
| 10 | Défense | 1 ^{er} septembre 2005 |
| 10A | Réponse | 1 ^{er} septembre 2005 |
| 12 | Avis de retrait | 1 ^{er} septembre 2005 |
| 13 | État financier (demandes d'aliments) | 1 ^{er} septembre 2005 |
| 13.1 | État financier (demandes portant sur des biens et demandes d'aliments) | 1 ^{er} septembre 2005 |
| 13A | Directive à l'intention de l'Agence du revenu du Canada | 1 ^{er} septembre 2005 |
| 13B | État des biens familiaux nets | 1 ^{er} septembre 2005 |
| 14 | Avis de motion | 1 ^{er} septembre 2005 |
| 14A | Affidavit (formule générale) | 1 ^{er} septembre 2005 |
| 14B | Formule de motion | 1 ^{er} septembre 2005 |
| 14C | Confirmation | 1 ^{er} septembre 2005 |
| 14D | Ordonnance sur motion présentée sans préavis | 1 ^{er} septembre 2005 |
| 15 | Formule de renseignements visant une modification (motion en modification des aliments pour les enfants) | 1 ^{er} septembre 2005 |
| 15A | Consentement (motion en modification des aliments pour les enfants) | 1 ^{er} septembre 2005 |
| 17 | Avis de conférence | 1 ^{er} septembre 2005 |
| 17A | Mémoire de conférence relative à la cause — formule générale | 1 ^{er} septembre 2005 |
| 17B | Mémoire de conférence relative à la cause (requête en matière de protection ou en révision de statut) | 1 ^{er} septembre 2005 |
| 17C | Mémoire de conférence en vue d'un règlement amiable — formule générale | 1 ^{er} septembre 2005 |
| 17D | Mémoire de conférence en vue d'un règlement amiable (requête en matière de protection ou en révision de statut) | 1 ^{er} septembre 2005 |
| 17E | Mémoire de conférence de gestion du procès | 1 ^{er} septembre 2005 |
| 20 | Demande de renseignements | 1 ^{er} septembre 2005 |
| 20A | Autorisation du commissaire | 1 ^{er} septembre 2005 |
| 20B | Lettre de demande | 1 ^{er} septembre 2005 |
| 22 | Demande d'admission | 1 ^{er} septembre 2005 |
| 22A | Réponse à la demande d'admission | 1 ^{er} septembre 2005 |
| 23 | Assignation de témoin | 1 ^{er} septembre 2005 |
| 23A | Assignation d'un témoin de l'extérieur de l'Ontario | 1 ^{er} septembre 2005 |
| 23B | Ordonnance de comparution d'un(e) détenu(e) | 1 ^{er} septembre 2005 |
| 23C | Affidavit pour un procès non contesté | 1 ^{er} septembre 2005 |
| 25 | Ordonnance (formule générale) | 1 ^{er} septembre 2005 |
| 25A | Ordonnance de divorce | 1 ^{er} septembre 2005 |
| 25B | Ordonnance portant sur le traitement en milieu fermé | 1 ^{er} septembre 2005 |
| 25C | Ordonnance d'adoption | 1 ^{er} septembre 2005 |
| 25D | Ordonnance (procès non contesté) | 1 ^{er} septembre 2005 |
| 25E | Avis de contestation de l'approbation de l'ordonnance | 1 ^{er} septembre 2005 |
| 26 | État des sommes dues | 1 ^{er} septembre 2005 |
| 26A | Affidavit des frais d'exécution | 1 ^{er} septembre 2005 |
| 26B | Affidavit pour le dépôt d'un contrat familial ou d'un accord de paternité au tribunal | 1 ^{er} septembre 2005 |
| 26C | Avis de transfert d'exécution | 1 ^{er} septembre 2005 |

| Numéro de la formule | Titre de la formule | Date de la formule |
|----------------------|---|--------------------------------|
| 27 | Demande d'état financier | 1 ^{er} septembre 2005 |
| 27A | Demande d'état des revenus | 1 ^{er} septembre 2005 |
| 27B | État des revenus versés par la source de revenu | 1 ^{er} septembre 2005 |
| 27C | Convocation à un interrogatoire sur la situation financière | 1 ^{er} septembre 2005 |
| 28 | Bref de saisie-exécution | 1 ^{er} septembre 2005 |
| 28A | Demande de bref de saisie-exécution | 1 ^{er} septembre 2005 |
| 28B | Déclaration solennelle au shérif | 1 ^{er} septembre 2005 |
| 28C | Bref de saisie temporaire | 1 ^{er} septembre 2005 |
| 29 | Demande de saisie-arrêt | 1 ^{er} septembre 2005 |
| 29A | Avis de saisie-arrêt (somme forfaitaire) | 1 ^{er} septembre 2005 |
| 29B | Avis de saisie-arrêt (somme périodique) | 1 ^{er} septembre 2005 |
| 29C | Avis aux cotitulaires de créances | 1 ^{er} septembre 2005 |
| 29D | Déclaration solennelle sur l'indexation des aliments | 1 ^{er} septembre 2005 |
| 29E | Contestation du payeur ou de la payeuse | 1 ^{er} septembre 2005 |
| 29F | Contestation du tiers saisi | 1 ^{er} septembre 2005 |
| 29G | Contestation du ou de la cotulaire de la créance | 1 ^{er} septembre 2005 |
| 29H | Avis d'audience sur la saisie-arrêt | 1 ^{er} septembre 2005 |
| 29I | Avis de suspension de la saisie-arrêt | 1 ^{er} septembre 2005 |
| 29J | Déclaration à l'institution financière (tiers saisi) relative aux aliments | 1 ^{er} septembre 2005 |
| 30 | Avis d'audience sur le défaut | 1 ^{er} septembre 2005 |
| 30A | Demande d'audience sur le défaut | 1 ^{er} septembre 2005 |
| 30B | Contestation du défaut | 1 ^{er} septembre 2005 |
| 31 | Avis de motion pour outrage | 1 ^{er} septembre 2005 |
| 32 | Cautionnement (engagement) | 1 ^{er} septembre 2005 |
| 32A | Avis de motion en confiscation | 1 ^{er} septembre 2005 |
| 32B | Mandat d'arrêt | 1 ^{er} septembre 2005 |
| 32C | Affidavit pour un mandat d'incarcération | 1 ^{er} septembre 2005 |
| 32D | Mandat d'incarcération | 1 ^{er} septembre 2005 |
| 33 | Dénonciation en vue d'obtenir un mandat d'amener un enfant | 1 ^{er} septembre 2005 |
| 33A | Mandat d'amener un enfant | 1 ^{er} septembre 2005 |
| 33B | Programme de soins d'un ou de plusieurs enfants (société d'aide à l'enfance) | 1 ^{er} septembre 2005 |
| 33B.1 | Défense et programme de soins (parties autres qu'une société d'aide à l'enfance) | 1 ^{er} septembre 2005 |
| 33C | Exposé conjoint des faits (protection de l'enfance) | 1 ^{er} septembre 2005 |
| 33D | Exposé conjoint des faits (révision de statut) | 1 ^{er} septembre 2005 |
| 33E | Consentement de l'enfant au traitement en milieu fermé | 1 ^{er} septembre 2005 |
| 33F | Consentement au traitement en milieu fermé (personne autre que l'enfant) | 1 ^{er} septembre 2005 |
| 34 | Consentement de l'enfant à l'adoption | 1 ^{er} septembre 2005 |
| 34A | Affidavit de filiation | 1 ^{er} septembre 2005 |
| 34B | Consentement d'une personne autre que le père ou la mère à l'adoption par le conjoint | 1 ^{er} septembre 2005 |
| 34C | Déclaration du directeur ou du directeur local au sujet de l'adoption | 1 ^{er} septembre 2005 |
| 34D | Affidavit du/de la ou des requérant(e)(s) qui demande(nt) l'adoption | 1 ^{er} septembre 2005 |
| 34E | Consentement du directeur à l'adoption | 1 ^{er} septembre 2005 |
| 34F | Consentement du père, de la mère ou du gardien à l'adoption | 1 ^{er} septembre 2005 |
| 34G | Affidavit du titulaire de permis ou de l'employé de la société | 1 ^{er} septembre 2005 |
| 34H | Affidavit du parent adoptif ou du conjoint adoptif du père ou de la mère | 1 ^{er} septembre 2005 |
| 34I | Consentement du père ou de la mère à l'adoption par le conjoint | 1 ^{er} septembre 2005 |
| 34J | Affidavit de témoin à la signature attestant la fourniture de conseils juridiques indépendants (avocat des enfants) | 1 ^{er} septembre 2005 |
| 34K | Attestation du greffier (adoption) | 1 ^{er} septembre 2005 |
| 36 | Affidavit de divorce | 1 ^{er} septembre 2005 |
| 36A | Attestation du greffier (divorce) | 1 ^{er} septembre 2005 |
| 36B | Certificat de divorce | 1 ^{er} septembre 2005 |
| 37 | Avis d'audience | 1 ^{er} septembre 2005 |
| 37A | Feuille de renseignements | 1 ^{er} septembre 2005 |
| 37B | Directive enjoignant de demander des renseignements supplémentaires | 1 ^{er} septembre 2005 |
| 37C | Avis de poursuite de l'audience | 1 ^{er} septembre 2005 |
| 37D | Avis d'enregistrement d'une ordonnance | 1 ^{er} septembre 2005 |

| Numéro de la formule | Titre de la formule | Date de la formule |
|----------------------|---|--------------------------------|
| 37E | Avis de demande de preuves additionnelles | 1 ^{er} septembre 2005 |
| 38 | Avis d'appel | 1 ^{er} septembre 2005 |
| 39 | Préavis de rejet imminent | 1 ^{er} septembre 2005 |

15. Les formules 4 à 39 du Règlement sont abrogées.

16. Le présent règlement entre en vigueur le 1^{er} mai 2006.

12/06

ONTARIO REGULATION 77/06

made under the

COURTS OF JUSTICE ACT

Made: November 30, 2005

Approved: March 9, 2006

Filed: March 10, 2006

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Printed in *The Ontario Gazette*: March 25, 2006

Amending Reg. 194 of R.R.O. 1990

(Rules of Civil Procedure)

Note: Regulation 194 has previously been amended. Those amendments are listed in the [Table of Regulations – Legislative History Overview](#) which can be found at www.e-Laws.gov.on.ca.

1. Rule 1.06 of Regulation 194 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

FORMS

Use of Forms

1.06 (1) The forms prescribed by these rules shall be used where applicable and with such variations as the circumstances require.

Table of Forms

(2) In these rules, when a form is referred to by number, the reference is to the form with that number that is described in the Table of Forms at the end of these rules and is available on the Internet through www.ontariocourtforms.on.ca.

2. The Table of Forms to the Regulation is revoked and the following substituted:

TABLE OF FORMS

| Form Number | Form Title | Date of Form |
|-------------|---|------------------|
| 4A | General Heading of Documents — Actions | November 1, 2005 |
| 4B | General Heading of Documents — Applications | November 1, 2005 |
| 4C | Backsheet | November 1, 2005 |
| 4D | Affidavit | November 1, 2005 |
| 4E | Requisition | November 1, 2005 |
| 4F | Notice of Constitutional Question | November 1, 2005 |
| 7A | Request for Appointment of Litigation Guardian | November 1, 2005 |
| 7B | Order to Continue (Minor Reaching Age of Majority) | November 1, 2005 |
| 8A | Notice to Alleged Partner | November 1, 2005 |
| 11A | Order to Continue (Transfer or Transmission of Interest) | November 1, 2005 |
| 14A | Statement of Claim (General) | November 1, 2005 |
| 14B | Statement of Claim (Mortgage Action — Foreclosure) | November 1, 2005 |
| 14C | Notice of Action | November 1, 2005 |
| 14D | Statement of Claim (Action Commenced by Notice of Action) | November 1, 2005 |
| 14E | Notice of Application | November 1, 2005 |

| Form Number | Form Title | Date of Form |
|-------------|--|------------------|
| 14F | Information for Court Use | November 1, 2005 |
| 15A | Notice of Change of Solicitors | November 1, 2005 |
| 15B | Notice of Appointment of Solicitor | November 1, 2005 |
| 15C | Notice of Intention to Act in Person | November 1, 2005 |
| 16A | Acknowledgment of Receipt Card | November 1, 2005 |
| 16B | Affidavit of Service | November 1, 2005 |
| 16C | Certificate of Service by Sheriff | November 1, 2005 |
| 17A | Request for Service Abroad of Judicial or Extrajudicial Documents | November 1, 2005 |
| 17B | Summary of the Document to be Served | November 1, 2005 |
| 17C | Notice and Summary of Document | November 1, 2005 |
| 18A | Statement of Defence | November 1, 2005 |
| 18B | Notice of Intent to Defend | November 1, 2005 |
| 19A | Default Judgment (Debt or Liquidated Demand) | November 1, 2005 |
| 19B | Default Judgment (Recovery of Possession of Land) | November 1, 2005 |
| 19C | Default Judgment (Recovery of Possession of Personal Property) | November 1, 2005 |
| 19D | Requisition for Default Judgment | November 1, 2005 |
| 22A | Special Case | November 1, 2005 |
| 23A | Notice of Discontinuance | November 1, 2005 |
| 23B | Notice of Election to Proceed with Counterclaim | November 1, 2005 |
| 23C | Notice of Withdrawal of Defence | November 1, 2005 |
| 24.1A | Notice of Name of Mediator and Date of Session | November 1, 2005 |
| 24.1B | Notice by Assigned Mediator | November 1, 2005 |
| 24.1C | Statement of Issues | November 1, 2005 |
| 24.1D | Certificate of Non-Compliance | November 1, 2005 |
| 25A | Reply | November 1, 2005 |
| 27A | Counterclaim (Against Parties to Main Action Only) | November 1, 2005 |
| 27B | Counterclaim (Against Plaintiff and Person not Already Party to Main Action) | November 1, 2005 |
| 27C | Defence to Counterclaim | November 1, 2005 |
| 27D | Reply to Defence to Counterclaim | November 1, 2005 |
| 28A | Crossclaim | November 1, 2005 |
| 28B | Defence to Crossclaim | November 1, 2005 |
| 28C | Reply to Defence to Crossclaim | November 1, 2005 |
| 29A | Third Party Claim | November 1, 2005 |
| 29B | Third Party Defence | November 1, 2005 |
| 29C | Reply to Third Party Defence | November 1, 2005 |
| 30A | Affidavit of Documents (Individual) | November 1, 2005 |
| 30B | Affidavit of Documents (Corporation or Partnership) | November 1, 2005 |
| 30C | Request to Inspect Documents | November 1, 2005 |
| 34A | Notice of Examination | November 1, 2005 |
| 34B | Summons to Witness (Examination out of Court) | November 1, 2005 |
| 34C | Commission | November 1, 2005 |
| 34D | Letter of Request | November 1, 2005 |
| 34E | Order for Commission and Letter of Request | November 1, 2005 |
| 35A | Questions on Written Examination for Discovery | November 1, 2005 |
| 35B | Answers on Written Examination for Discovery | November 1, 2005 |
| 37A | Notice of Motion | November 1, 2005 |
| 37B | Confirmation of Motion | November 1, 2005 |
| 37C | Refusals and Undertakings Chart | November 1, 2005 |
| 38A | Notice of Appearance | November 1, 2005 |
| 38B | Confirmation of Application | November 1, 2005 |
| 42A | Certificate of Pending Litigation | November 1, 2005 |
| 43A | Interpleader Order — General | November 1, 2005 |
| 44A | Bond — Interim Recovery of Personal Property | November 1, 2005 |
| 47A | Jury Notice | November 1, 2005 |
| 48C | Status Notice | November 1, 2005 |
| 48D | Order Dismissing Action for Delay | November 1, 2005 |
| 49A | Offer to Settle | November 1, 2005 |
| 49B | Notice of Withdrawal of Offer | November 1, 2005 |
| 49C | Acceptance of Offer | November 1, 2005 |
| 49D | Offer to Contribute | November 1, 2005 |
| 51A | Request to Admit | November 1, 2005 |

| Form Number | Form Title | Date of Form |
|-------------|---|------------------|
| 51B | Response to Request to Admit | November 1, 2005 |
| 53A | Summons to Witness (at Hearing) | November 1, 2005 |
| 53B | Warrant for Arrest (Defaulting Witness) | November 1, 2005 |
| 53C | Summons to a Witness Outside Ontario | November 1, 2005 |
| 53D | Order for Attendance of Witness in Custody | November 1, 2005 |
| 55A | Notice of Hearing for Directions | November 1, 2005 |
| 55B | Notice to Party Added on Reference | November 1, 2005 |
| 55C | Report on Reference (Administration of Estate) | November 1, 2005 |
| 55D | Notice of Contested Claim | November 1, 2005 |
| 55E | Notice to Creditor | November 1, 2005 |
| 55F | Conditions of Sale | November 1, 2005 |
| 55G | Interim Report on Sale | November 1, 2005 |
| 56A | Order for Security for Costs | November 1, 2005 |
| 57A | Bill of Costs | November 1, 2005 |
| 57B | Costs Outline | November 1, 2005 |
| 58A | Notice of Appointment for Assessment of Costs | November 1, 2005 |
| 58B | Notice to Deliver a Bill of Costs for Assessment | November 1, 2005 |
| 58C | Certificate of Assessment of Costs | November 1, 2005 |
| 59A | Order | November 1, 2005 |
| 59B | Judgment | November 1, 2005 |
| 59C | Order on Appeal | November 1, 2005 |
| 60A | Writ of Seizure and Sale | November 1, 2005 |
| 60B | Writ of Sequestration | November 1, 2005 |
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| 60D | Writ of Delivery | November 1, 2005 |
| 60E | Request to Renew | November 1, 2005 |
| 60F | Direction to Enforce Writ of Seizure and Sale | November 1, 2005 |
| 60G | Requisition for Garnishment | November 1, 2005 |
| 60G.1 | Requisition for Renewal of Garnishment | November 1, 2005 |
| 60H | Notice of Garnishment | November 1, 2005 |
| 60H.1 | Notice of Renewal of Garnishment | November 1, 2005 |
| 60I | Garnishee's Statement | November 1, 2005 |
| 60I.1 | Notice to Co-owner of the Debt | November 1, 2005 |
| 60J | Notice of Termination of Garnishment | November 1, 2005 |
| 60K | Warrant for Arrest (Contempt) | November 1, 2005 |
| 60L | Warrant of Committal | November 1, 2005 |
| 60M | Notice of Claim | November 1, 2005 |
| 60N | Sheriff's Report | November 1, 2005 |
| 60O | Request to Withdraw a Writ | November 1, 2005 |
| 61A | Notice of Appeal to an Appellate Court | November 1, 2005 |
| 61B | General Heading in Proceedings in Appellate Courts | November 1, 2005 |
| 61C | Appellant's Certificate Respecting Evidence | November 1, 2005 |
| 61D | Respondent's Certificate Respecting Evidence | November 1, 2005 |
| 61E | Notice of Cross-Appeal | November 1, 2005 |
| 61F | Supplementary Notice of Appeal or Cross-Appeal | November 1, 2005 |
| 61G | Notice of Listing for Hearing (Appeal) | November 1, 2005 |
| 61H | Certificate of Completeness of Appeal Book and Compendium | November 1, 2005 |
| 61I | Order Dismissing Appeal or Cross-Appeal for Delay | November 1, 2005 |
| 61J | Order Dismissing Motion for Leave to Appeal for Delay | November 1, 2005 |
| 61J.1 | Order Dismissing Motion for Delay | November 1, 2005 |
| 61K | Notice of Abandonment of Appeal or Cross-Appeal | November 1, 2005 |
| 61L | Notice of Election to Proceed with Cross-Appeal | November 1, 2005 |
| 62A | Notice of Appeal to a Judge | November 1, 2005 |
| 63A | Certificate of Stay | November 1, 2005 |
| 63B | Certificate of Stay | November 1, 2005 |
| 64A | Request to Redeem | November 1, 2005 |
| 64B | Default Judgment for Foreclosure with a Reference | November 1, 2005 |
| 64C | Default Judgment for Immediate Foreclosure | November 1, 2005 |
| 64D | Default Judgment for Foreclosure without a Reference | November 1, 2005 |
| 64E | Final Order of Foreclosure | November 1, 2005 |
| 64F | Request for Sale | November 1, 2005 |

| Form Number | Form Title | Date of Form |
|-------------|---|------------------|
| 64G | Default Judgment for Sale with a Redemption Period (Action Converted from Foreclosure to Sale) | November 1, 2005 |
| 64H | Default Judgment for Immediate Sale (Action Converted from Foreclosure to Sale) | November 1, 2005 |
| 64I | Default Judgment for Sale Conditional on Proof of Claim (Action Converted from Foreclosure to Sale) | November 1, 2005 |
| 64J | Default Judgment for Immediate Sale | November 1, 2005 |
| 64K | Default Judgment for Sale with a Redemption Period | November 1, 2005 |
| 64L | Final Order for Sale | November 1, 2005 |
| 64M | Default Judgment for Redemption | November 1, 2005 |
| 64N | Notice of Reference to Subsequent Encumbrancer Added on Reference | November 1, 2005 |
| 64O | Notice of Reference to Subsequent Encumbrancer Named as Original Party | November 1, 2005 |
| 64P | Notice of Reference to Original Defendants | November 1, 2005 |
| 64Q | Notice to Added Defendant Having Interest in Equity | November 1, 2005 |
| 65A | Judgment for Administration of Estate | November 1, 2005 |
| 66A | Judgment for Partition or Sale | November 1, 2005 |
| 68A | Notice of Application to Divisional Court for Judicial Review | November 1, 2005 |
| 68B | Notice of Listing for Hearing (Judicial Review) | November 1, 2005 |
| 68C | Order Dismissing Application for Judicial Review | November 1, 2005 |
| 72A | Notice of Payment into Court | November 1, 2005 |
| 72B | Affidavit (Motion for Payment Out of Court) | November 1, 2005 |
| 72C | Stop Order | November 1, 2005 |
| 73A | Notice of Application for Registration of United Kingdom Judgment | November 1, 2005 |
| 74.1 | Notice to Estate Registrar of Deposit of Will or Codicil | November 1, 2005 |
| 74.2 | Notice to Estate Registrar of Withdrawal of Will or Codicil | November 1, 2005 |
| 74.3 | Request for Notice of Commencement of Proceeding | November 1, 2005 |
| 74.4 | Application for Certificate of Appointment of Estate Trustee with a Will (Individual Applicant) | November 1, 2005 |
| 74.4.1 | Application for Certificate of Appointment of Estate Trustee with a Will (Individual Applicant) Limited to Assets Referred to in the Will | November 1, 2005 |
| 74.5 | Application for Certificate of Appointment of Estate Trustee with a Will (Corporate Applicant) | November 1, 2005 |
| 74.5.1 | Application for Certificate of Appointment of Estate Trustee with a Will (Corporate Applicant) Limited to Assets Referred to in the Will | November 1, 2005 |
| 74.6 | Affidavit of Service of Notice | November 1, 2005 |
| 74.7 | Notice of an Application for a Certificate of Appointment of Estate Trustee with a Will | November 1, 2005 |
| 74.8 | Affidavit of Execution of Will or Codicil | November 1, 2005 |
| 74.9 | Affidavit Attesting to the Handwriting and Signature of a Holograph Will or Codicil | November 1, 2005 |
| 74.10 | Affidavit of Condition of Will or Codicil | November 1, 2005 |
| 74.11 | Renunciation of Right to a Certificate of Appointment of Estate Trustee (or Succeeding Estate Trustee) with a Will | November 1, 2005 |
| 74.12 | Consent to Applicant's Appointment as Estate Trustee with a Will | November 1, 2005 |
| 74.13 | Certificate of Appointment of Estate Trustee with a Will | November 1, 2005 |
| 74.13.1 | Certificate of Appointment of Estate Trustee with a Will Limited to the Assets Referred to in the Will | November 1, 2005 |
| 74.14 | Application for Certificate of Appointment of Estate Trustee without a Will (Individual Applicant) | November 1, 2005 |
| 74.15 | Application for Certificate of Appointment of Estate Trustee without a Will (Corporate Applicant) | November 1, 2005 |
| 74.16 | Affidavit of Service of Notice | November 1, 2005 |
| 74.17 | Notice of an Application for a Certificate of Appointment of Estate Trustee without a Will | November 1, 2005 |
| 74.18 | Renunciation of Prior Right to a Certificate of Appointment of Estate Trustee without a Will | November 1, 2005 |
| 74.19 | Consent to Applicant's Appointment as Estate Trustee without a Will | November 1, 2005 |
| 74.20 | Certificate of Appointment of Estate Trustee without a Will | November 1, 2005 |
| 74.20.1 | Application for Certificate of Appointment of a Foreign Estate Trustee's Nominee as Estate Trustee without a Will | November 1, 2005 |
| 74.20.2 | Nomination of Applicant by Foreign Estate Trustee | November 1, 2005 |
| 74.20.3 | Certificate of Appointment of Foreign Estate Trustee's Nominee as Estate Trustee without a Will | November 1, 2005 |
| 74.21 | Application for Certificate of Appointment as Succeeding Estate Trustee with a Will | November 1, 2005 |
| 74.22 | Consent to Applicant's Appointment as Succeeding Estate Trustee with a Will | November 1, 2005 |
| 74.23 | Certificate of Appointment of Succeeding Estate Trustee with a Will | November 1, 2005 |
| 74.24 | Application for Certificate of Appointment as Succeeding Estate Trustee without a Will | November 1, 2005 |
| 74.25 | Consent to Applicant's Appointment as Succeeding Estate Trustee without a Will | November 1, 2005 |
| 74.26 | Certificate of Appointment of Succeeding Estate Trustee without a Will | November 1, 2005 |

| Form Number | Form Title | Date of Form |
|-------------|---|------------------|
| 74.27 | Application for Confirmation by Resealing of Appointment or Certificate of Ancillary Appointment of Estate Trustee | November 1, 2005 |
| 74.28 | Confirmation by Resealing of Appointment of Estate Trustee | November 1, 2005 |
| 74.29 | Certificate of Ancillary Appointment of Estate Trustee with a Will | November 1, 2005 |
| 74.30 | Application for Certificate of Appointment of Estate Trustee During Litigation | November 1, 2005 |
| 74.31 | Certificate of Appointment of Estate Trustee During Litigation | November 1, 2005 |
| 74.32 | Bond — Insurance or Guarantee Company | November 1, 2005 |
| 74.33 | Bond — Personal Sureties | November 1, 2005 |
| 74.34 | Registrar's Notice to Estate Trustee Named in a Deposited Will of Application for Certificate of Appointment of Estate Trustee with a Will | November 1, 2005 |
| 74.35 | Registrar's Notice to Estate Trustee Named in a Deposited Will of Application for Certificate of Appointment of Estate Trustee without a Will | November 1, 2005 |
| 74.36 | Order to Accept or Refuse Appointment as Estate Trustee with a Will | November 1, 2005 |
| 74.37 | Order to Accept or Refuse Appointment as Estate Trustee without a Will | November 1, 2005 |
| 74.38 | Order to Consent or Object to a Proposed Appointment of an Estate Trustee with or without a Will | November 1, 2005 |
| 74.39 | Order to File a Statement of Assets of the Estate | November 1, 2005 |
| 74.40 | Order to Beneficiary Witness | November 1, 2005 |
| 74.41 | Order to Former Spouse | November 1, 2005 |
| 74.42 | Order to Pass Accounts | November 1, 2005 |
| 74.43 | Affidavit Verifying Estate Accounts | November 1, 2005 |
| 74.44 | Notice of Application to Pass Accounts | November 1, 2005 |
| 74.45 | Notice of Objection to Accounts | November 1, 2005 |
| 74.46 | Notice of No Objection to Accounts | November 1, 2005 |
| 74.46.1 | Notice of Non-Participation in Passing of Accounts | November 1, 2005 |
| 74.47 | Affidavit in Support of Unopposed Judgment on Passing of Accounts | November 1, 2005 |
| 74.48 | Notice of Withdrawal of Objection | November 1, 2005 |
| 74.49 | Request for Costs (Person other than Children's Lawyer or Public Guardian and Trustee) | November 1, 2005 |
| 74.49.1 | Request for Costs (Children's Lawyer or Public Guardian and Trustee) | November 1, 2005 |
| 74.49.2 | Request for Increased Costs (Estate Trustee) | November 1, 2005 |
| 74.49.3 | Request for Increased Costs (Person other than Estate Trustee) | November 1, 2005 |
| 74.50 | Judgment on Unopposed Passing of Accounts | November 1, 2005 |
| 74.51 | Judgment on Contested Passing of Accounts | November 1, 2005 |
| 75.1 | Notice of Objection | November 1, 2005 |
| 75.1A | Request for Assignment of Mediator | November 1, 2005 |
| 75.1B | Notice by Mediator | November 1, 2005 |
| 75.1C | Statement of Issues | November 1, 2005 |
| 75.1D | Certificate of Non-Compliance | November 1, 2005 |
| 75.2 | Notice that Objection has been Filed | November 1, 2005 |
| 75.3 | Notice to Objector | November 1, 2005 |
| 75.4 | Notice of Appearance | November 1, 2005 |
| 75.5 | Notice of Application for Directions | November 1, 2005 |
| 75.6 | Notice of Motion for Directions | November 1, 2005 |
| 75.7 | Statement of Claim Pursuant to Order Giving Directions | November 1, 2005 |
| 75.8 | Order Giving Directions Where Pleadings Directed | November 1, 2005 |
| 75.9 | Order Giving Directions Where Trial of Issues Directed | November 1, 2005 |
| 75.10 | Statement of Submission of Rights to the Court | November 1, 2005 |
| 75.11 | Notice of Settlement | November 1, 2005 |
| 75.12 | Rejection of Settlement | November 1, 2005 |
| 75.13 | Notice of Contestation | November 1, 2005 |
| 75.14 | Claim Against Estate | November 1, 2005 |
| 76A | Notice Whether Action under Rule 76 | November 1, 2005 |
| 76B | Simplified Procedure Motion Form | November 1, 2005 |
| 76C | Notice of Readiness for Pre-Trial Conference | November 1, 2005 |
| 76D | Trial Management Checklist | November 1, 2005 |
| 77C | Case Management Motion Form | November 1, 2005 |
| 77D | Trial Management Conference Form | November 1, 2005 |
| 78A | Timetable | November 1, 2005 |

3. Forms 4A to 78A of the Regulation are revoked.

4. This Regulation comes into force on July 1, 2006.

RÈGLEMENT DE L'ONTARIO 77/06

pris en application de la

LOI SUR LES TRIBUNAUX JUDICIAIRES

pris le 30 novembre 2005

approuvé le 9 mars 2006

déposé le 10 mars 2006

publié sur le site Lois-en-ligne le 13 mars 2006

imprimé dans la *Gazette de l'Ontario* le 25 mars 2006

modifiant le Règl. 194 des R.R.O. de 1990

(Règles de procédure civile)

Remarque : Le Règlement 194 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des règlements qui se trouve sur le site www.lois-en-ligne.gouv.on.ca.

1. La règle 1.06 du Règlement 194 des Règlements refondus de l'Ontario de 1990 est abrogée et remplacée par ce qui suit :

FORMULES

Utilisation des formules

1.06 (1) Les formules que prescrivent les présentes règles sont utilisées s'il y a lieu et avec les adaptations nécessaires.

Tableau des formules

(2) Dans les présentes règles, lorsqu'une formule est mentionnée par numéro, la mention renvoie à la formule qui porte ce numéro et qui est mentionnée dans le tableau des formules figurant à la fin des présentes règles et accessible sur Internet via www.ontariocourtforms.on.ca.

2. La liste des formules du Règlement est abrogée et remplacée par ce qui suit :

TABLEAU DES FORMULES

| Numéro de la formule | Titre de la formule | Date de la formule |
|----------------------|--|-------------------------------|
| 4A | Titre des documents — Actions | 1 ^{er} novembre 2005 |
| 4B | Titre des documents — Requêtes | 1 ^{er} novembre 2005 |
| 4C | Feuille arrière | 1 ^{er} novembre 2005 |
| 4D | Affidavit | 1 ^{er} novembre 2005 |
| 4E | Réquisition | 1 ^{er} novembre 2005 |
| 4F | Avis d'une question constitutionnelle | 1 ^{er} novembre 2005 |
| 7A | Demande de nomination d'un tuteur à l'instance | 1 ^{er} novembre 2005 |
| 7B | Ordonnance de continuation (Mineur qui atteint sa majorité) | 1 ^{er} novembre 2005 |
| 8A | Avis au prétendu associé | 1 ^{er} novembre 2005 |
| 11A | Ordonnance de continuation (Transfert ou transmission d'intérêt) | 1 ^{er} novembre 2005 |
| 14A | Déclaration | 1 ^{er} novembre 2005 |
| 14B | Déclaration (Action hypothécaire — Forclusion) | 1 ^{er} novembre 2005 |
| 14C | Avis d'action | 1 ^{er} novembre 2005 |
| 14D | Déclaration (Introduction de l'action par avis d'action) | 1 ^{er} novembre 2005 |
| 14E | Avis de requête | 1 ^{er} novembre 2005 |
| 14F | Renseignements à l'usage du tribunal | 1 ^{er} novembre 2005 |
| 15A | Avis de constitution d'un nouveau procureur | 1 ^{er} novembre 2005 |
| 15B | Avis de nomination d'un procureur | 1 ^{er} novembre 2005 |
| 15C | Avis de l'intention d'agir en son propre nom | 1 ^{er} novembre 2005 |
| 16A | Carte d'accusé de réception | 1 ^{er} novembre 2005 |
| 16B | Affidavit de signification | 1 ^{er} novembre 2005 |
| 16C | Certificat de signification du shérif | 1 ^{er} novembre 2005 |
| 17A | Demande aux fins de signification ou notification à l'étranger d'un acte judiciaire ou extrajudiciaire | 1 ^{er} novembre 2005 |
| 17B | Éléments essentiels de l'acte | 1 ^{er} novembre 2005 |
| 17C | Avis et résumé du document | 1 ^{er} novembre 2005 |
| 18A | Défense | 1 ^{er} novembre 2005 |

| Numéro de la formule | Titre de la formule | Date de la formule |
|----------------------|---|-------------------------------|
| 18B | Avis d'intention de présenter une défense | 1 ^{er} novembre 2005 |
| 19A | Jugement par défaut (Créance ou somme déterminée) | 1 ^{er} novembre 2005 |
| 19B | Jugement par défaut (Revendication d'un bien-fonds) | 1 ^{er} novembre 2005 |
| 19C | Jugement par défaut (Revendication de biens meubles) | 1 ^{er} novembre 2005 |
| 19D | Réquisition de jugement par défaut | 1 ^{er} novembre 2005 |
| 22A | Exposé de cause | 1 ^{er} novembre 2005 |
| 23A | Avis de désistement | 1 ^{er} novembre 2005 |
| 23B | Avis de décision de faire instruire la demande reconventionnelle | 1 ^{er} novembre 2005 |
| 23C | Avis de retrait de la défense | 1 ^{er} novembre 2005 |
| 24.1A | Avis du nom du médiateur et de la date de la séance | 1 ^{er} novembre 2005 |
| 24.1B | Avis du médiateur désigné | 1 ^{er} novembre 2005 |
| 24.1C | Exposé des questions en litige | 1 ^{er} novembre 2005 |
| 24.1D | Certificat de défaut de se conformer | 1 ^{er} novembre 2005 |
| 25A | Réponse | 1 ^{er} novembre 2005 |
| 27A | Demande reconventionnelle (Contre les parties à l'action principale seulement) | 1 ^{er} novembre 2005 |
| 27B | Demande reconventionnelle (Contre le demandeur et une personne qui n'est pas déjà partie à l'action principale) | 1 ^{er} novembre 2005 |
| 27C | Défense à la demande reconventionnelle | 1 ^{er} novembre 2005 |
| 27D | Réponse à la défense à la demande reconventionnelle | 1 ^{er} novembre 2005 |
| 28A | Demande entre défendeurs | 1 ^{er} novembre 2005 |
| 28B | Défense à la demande entre défendeurs | 1 ^{er} novembre 2005 |
| 28C | Réponse à la défense à la demande entre défendeurs | 1 ^{er} novembre 2005 |
| 29A | Mise en cause | 1 ^{er} novembre 2005 |
| 29B | Défense à la mise en cause | 1 ^{er} novembre 2005 |
| 29C | Réponse à la défense à la mise en cause | 1 ^{er} novembre 2005 |
| 30A | Affidavit de documents (Parties) | 1 ^{er} novembre 2005 |
| 30B | Affidavit de documents (Personne morale ou société en nom collectif) | 1 ^{er} novembre 2005 |
| 30C | Demande d'examen des documents | 1 ^{er} novembre 2005 |
| 34A | Avis d'interrogatoire | 1 ^{er} novembre 2005 |
| 34B | Assignation (Interrogatoire hors la présence du tribunal) | 1 ^{er} novembre 2005 |
| 34C | Commission rogatoire | 1 ^{er} novembre 2005 |
| 34D | Lettre rogatoire | 1 ^{er} novembre 2005 |
| 34E | Ordonnance de commission rogatoire et de lettre rogatoire | 1 ^{er} novembre 2005 |
| 35A | Questionnaire relatif à l'interrogatoire préalable effectué par écrit | 1 ^{er} novembre 2005 |
| 35B | Réponses à l'interrogatoire préalable effectué par écrit | 1 ^{er} novembre 2005 |
| 37A | Avis de motion | 1 ^{er} novembre 2005 |
| 37B | Confirmation de la motion | 1 ^{er} novembre 2005 |
| 37C | Tableau des refus et des engagements | 1 ^{er} novembre 2005 |
| 38A | Avis de comparution | 1 ^{er} novembre 2005 |
| 38B | Confirmation de la requête | 1 ^{er} novembre 2005 |
| 42A | Certificat d'affaire en instance | 1 ^{er} novembre 2005 |
| 43A | Ordonnance d' <i>interpleader</i> — Dispositions générales | 1 ^{er} novembre 2005 |
| 44A | Cautionnement — Restitution provisoire de biens meubles | 1 ^{er} novembre 2005 |
| 47A | Convocation du jury | 1 ^{er} novembre 2005 |
| 48C | Avis d'état de l'instance | 1 ^{er} novembre 2005 |
| 48D | Ordonnance rejetant l'action pour cause de retard | 1 ^{er} novembre 2005 |
| 49A | Offre de transaction | 1 ^{er} novembre 2005 |
| 49B | Avis de retrait de l'offre | 1 ^{er} novembre 2005 |
| 49C | Acceptation de l'offre | 1 ^{er} novembre 2005 |
| 49D | Offre de contribution | 1 ^{er} novembre 2005 |
| 51A | Demande d'aveux | 1 ^{er} novembre 2005 |
| 51B | Réponse à la demande d'aveux | 1 ^{er} novembre 2005 |
| 53A | Assignation (À l'audience) | 1 ^{er} novembre 2005 |
| 53B | Mandat d'arrêt (Témoin défaillant) | 1 ^{er} novembre 2005 |
| 53C | Assignation à un témoin en dehors de l'Ontario | 1 ^{er} novembre 2005 |
| 53D | Ordonnance de comparution d'un témoin détenu | 1 ^{er} novembre 2005 |
| 55A | Avis de rencontre en vue d'obtenir des directives de l'arbitre | 1 ^{er} novembre 2005 |
| 55B | Avis à la personne jointe comme partie au renvoi | 1 ^{er} novembre 2005 |
| 55C | Rapport sur le renvoi (Administration de la succession) | 1 ^{er} novembre 2005 |
| 55D | Avis de demande contestée | 1 ^{er} novembre 2005 |

| Numéro de la formule | Titre de la formule | Date de la formule |
|----------------------|--|-------------------------------|
| 55E | Avis au créancier | 1 ^{er} novembre 2005 |
| 55F | Conditions de la vente | 1 ^{er} novembre 2005 |
| 55G | Rapport provisoire sur la vente | 1 ^{er} novembre 2005 |
| 56A | Ordonnance de cautionnement pour dépens | 1 ^{er} novembre 2005 |
| 57A | Mémoire de dépens | 1 ^{er} novembre 2005 |
| 57B | Sommaire des dépens | 1 ^{er} novembre 2005 |
| 58A | Avis de rencontre pour la liquidation des dépens | 1 ^{er} novembre 2005 |
| 58B | Avis de remise d'un mémoire de dépens aux fins de la liquidation | 1 ^{er} novembre 2005 |
| 58C | Certificat de liquidation des dépens | 1 ^{er} novembre 2005 |
| 59A | Ordonnance | 1 ^{er} novembre 2005 |
| 59B | Jugement | 1 ^{er} novembre 2005 |
| 59C | Ordonnance rendue à la suite d'un appel | 1 ^{er} novembre 2005 |
| 60A | Bref de saisie-exécution | 1 ^{er} novembre 2005 |
| 60B | Bref de mise sous séquestre judiciaire | 1 ^{er} novembre 2005 |
| 60C | Bref de mise en possession | 1 ^{er} novembre 2005 |
| 60D | Bref de délaissement | 1 ^{er} novembre 2005 |
| 60E | Demande de renouvellement | 1 ^{er} novembre 2005 |
| 60F | Ordre d'exécution du bref de saisie-exécution | 1 ^{er} novembre 2005 |
| 60G | Réquisition de saisie-arrêt | 1 ^{er} novembre 2005 |
| 60G.1 | Réquisition de renouvellement de la saisie-arrêt | 1 ^{er} novembre 2005 |
| 60H | Avis de saisie-arrêt | 1 ^{er} novembre 2005 |
| 60H.1 | Avis de renouvellement de la saisie-arrêt | 1 ^{er} novembre 2005 |
| 60I | Déclaration du tiers saisi | 1 ^{er} novembre 2005 |
| 60I.1 | Avis au cotitulaire de la créance | 1 ^{er} novembre 2005 |
| 60J | Avis de mainlevée de la saisie-arrêt | 1 ^{er} novembre 2005 |
| 60K | Mandat d'arrêt (Outrage) | 1 ^{er} novembre 2005 |
| 60L | Mandat de dépôt | 1 ^{er} novembre 2005 |
| 60M | Avis de créance | 1 ^{er} novembre 2005 |
| 60N | Rapport du shérif | 1 ^{er} novembre 2005 |
| 60O | Demande de retrait de bref | 1 ^{er} novembre 2005 |
| 61A | Avis d'appel à un tribunal d'appel | 1 ^{er} novembre 2005 |
| 61B | Titre des instances devant les tribunaux d'appel | 1 ^{er} novembre 2005 |
| 61C | Certificat de l'appelant relatif à la preuve | 1 ^{er} novembre 2005 |
| 61D | Certificat de l'intimé relatif à la preuve | 1 ^{er} novembre 2005 |
| 61E | Avis d'appel incident | 1 ^{er} novembre 2005 |
| 61F | Avis supplémentaire d'appel ou d'appel incident | 1 ^{er} novembre 2005 |
| 61G | Avis d'inscription au rôle (Appel) | 1 ^{er} novembre 2005 |
| 61H | Certificat attestant que le cahier et recueil d'appel est complet | 1 ^{er} novembre 2005 |
| 61I | Ordonnance rejetant l'appel ou l'appel incident pour cause de retard | 1 ^{er} novembre 2005 |
| 61J | Ordonnance rejetant la motion en autorisation d'interjeter appel pour cause de retard | 1 ^{er} novembre 2005 |
| 61J.1 | Ordonnance rejetant la motion pour cause de retard | 1 ^{er} novembre 2005 |
| 61K | Avis de désistement de l'appel ou de l'appel incident | 1 ^{er} novembre 2005 |
| 61L | Avis de décision de faire instruire l'appel incident | 1 ^{er} novembre 2005 |
| 62A | Avis d'appel à un juge | 1 ^{er} novembre 2005 |
| 63A | Certificat de sursis | 1 ^{er} novembre 2005 |
| 63B | Certificat de sursis | 1 ^{er} novembre 2005 |
| 64A | Demande de rachat | 1 ^{er} novembre 2005 |
| 64B | Jugement de forclusion par défaut accompagné d'un renvoi | 1 ^{er} novembre 2005 |
| 64C | Jugement de forclusion immédiate par défaut | 1 ^{er} novembre 2005 |
| 64D | Jugement de forclusion par défaut sans renvoi | 1 ^{er} novembre 2005 |
| 64E | Ordonnance définitive de forclusion | 1 ^{er} novembre 2005 |
| 64F | Demande de vente | 1 ^{er} novembre 2005 |
| 64G | Jugement de vente par défaut accompagné d'un délai de rachat (Transformation de la forclusion en vente) | 1 ^{er} novembre 2005 |
| 64H | Jugement de vente immédiate par défaut (Transformation de la forclusion en vente) | 1 ^{er} novembre 2005 |
| 64I | Jugement de vente par défaut subordonné à la preuve du bien-fondé de la demande (Transformation de la forclusion en vente) | 1 ^{er} novembre 2005 |
| 64J | Jugement de vente immédiate par défaut | 1 ^{er} novembre 2005 |
| 64K | Jugement de vente par défaut avec délai de rachat | 1 ^{er} novembre 2005 |
| 64L | Ordonnance définitive de vente | 1 ^{er} novembre 2005 |
| 64M | Jugement de rachat par défaut | 1 ^{er} novembre 2005 |

| Numéro de la formule | Titre de la formule | Date de la formule |
|----------------------|--|-------------------------------|
| 64N | Avis de renvoi au titulaire postérieur d'une sûreté joint comme partie lors du renvoi | 1 ^{er} novembre 2005 |
| 64O | Avis de renvoi au titulaire postérieur d'une sûreté désigné comme partie originale | 1 ^{er} novembre 2005 |
| 64P | Avis de renvoi aux défendeurs originaux | 1 ^{er} novembre 2005 |
| 64Q | Avis au défendeur joint comme partie ayant un intérêt dans le droit de rachat | 1 ^{er} novembre 2005 |
| 65A | Jugement pour l'administration d'une succession | 1 ^{er} novembre 2005 |
| 66A | Jugement de partage ou de vente | 1 ^{er} novembre 2005 |
| 68A | Avis de requête en révision judiciaire présentée à la Cour divisionnaire | 1 ^{er} novembre 2005 |
| 68B | Avis d'inscription au rôle (Révision judiciaire) | 1 ^{er} novembre 2005 |
| 68C | Ordonnance rejetant la requête en révision judiciaire | 1 ^{er} novembre 2005 |
| 72A | Avis de consignation | 1 ^{er} novembre 2005 |
| 72B | Affidavit (Motion en vue du versement d'une somme d'argent consignée) | 1 ^{er} novembre 2005 |
| 72C | Ordonnance de gel | 1 ^{er} novembre 2005 |
| 73A | Avis de requête en vue de faire enregistrer un jugement rendu au Royaume-Uni | 1 ^{er} novembre 2005 |
| 74.1 | Avis de dépôt d'un testament ou d'un codicille au greffier des successions | 1 ^{er} novembre 2005 |
| 74.2 | Avis de retrait d'un testament ou d'un codicille au greffier des successions | 1 ^{er} novembre 2005 |
| 74.3 | Demande d'avis d'introduction d'instance | 1 ^{er} novembre 2005 |
| 74.4 | Requête en vue d'obtenir un certificat de nomination à titre de fiduciaire de la succession testamentaire (Particulier requérant) | 1 ^{er} novembre 2005 |
| 74.4.1 | Requête en vue d'obtenir un certificat de nomination à titre de fiduciaire de la succession testamentaire (Particulier requérant) limité aux biens visés par le testament | 1 ^{er} novembre 2005 |
| 74.5 | Requête en vue d'obtenir un certificat de nomination à titre de fiduciaire de la succession testamentaire (Personne morale requérante) | 1 ^{er} novembre 2005 |
| 74.5.1 | Requête en vue d'obtenir un certificat de nomination à titre de fiduciaire de la succession testamentaire (Personne morale requérante) limité aux biens visés par le testament | 1 ^{er} novembre 2005 |
| 74.6 | Affidavit de signification d'un avis | 1 ^{er} novembre 2005 |
| 74.7 | Avis de requête en vue d'obtenir un certificat de nomination à titre de fiduciaire de la succession testamentaire | 1 ^{er} novembre 2005 |
| 74.8 | Affidavit de passation d'un testament ou d'un codicille | 1 ^{er} novembre 2005 |
| 74.9 | Affidavit attestant l'écriture et la signature d'un testament ou d'un codicille olographe | 1 ^{er} novembre 2005 |
| 74.10 | Affidavit sur l'état d'un testament ou d'un codicille | 1 ^{er} novembre 2005 |
| 74.11 | Renonciation au droit à un certificat de nomination à titre de fiduciaire de la succession testamentaire (ou de nouveau fiduciaire de la succession testamentaire) | 1 ^{er} novembre 2005 |
| 74.12 | Consentement à la nomination d'un requérant à titre de fiduciaire de la succession testamentaire | 1 ^{er} novembre 2005 |
| 74.13 | Certificat de nomination à titre de fiduciaire de la succession testamentaire | 1 ^{er} novembre 2005 |
| 74.13.1 | Certificat de nomination à titre de fiduciaire de la succession testamentaire limité aux biens visés par le testament | 1 ^{er} novembre 2005 |
| 74.14 | Requête en vue d'obtenir un certificat de nomination à titre de fiduciaire de la succession non testamentaire (Particulier requérant) | 1 ^{er} novembre 2005 |
| 74.15 | Requête en vue d'obtenir un certificat de nomination à titre de fiduciaire de la succession non testamentaire (Personne morale requérante) | 1 ^{er} novembre 2005 |
| 74.16 | Affidavit de signification d'un avis | 1 ^{er} novembre 2005 |
| 74.17 | Avis de requête en vue d'obtenir un certificat de nomination à titre de fiduciaire de la succession non testamentaire | 1 ^{er} novembre 2005 |
| 74.18 | Renonciation à la priorité de rang en ce qui concerne le droit à un certificat de nomination à titre de fiduciaire de la succession non testamentaire | 1 ^{er} novembre 2005 |
| 74.19 | Consentement à la nomination d'un requérant à titre de fiduciaire de la succession non testamentaire | 1 ^{er} novembre 2005 |
| 74.20 | Certificat de nomination à titre de fiduciaire de la succession non testamentaire | 1 ^{er} novembre 2005 |
| 74.20.1 | Certificat de nomination de la personne désignée par le fiduciaire de la succession étrangère à titre de fiduciaire de la succession non testamentaire | 1 ^{er} novembre 2005 |
| 74.20.2 | Désignation d'un requérant par le fiduciaire de la succession étrangère | 1 ^{er} novembre 2005 |
| 74.20.3 | Certificat de nomination de la personne désignée par le fiduciaire de la succession étrangère à titre de fiduciaire de la succession non testamentaire | 1 ^{er} novembre 2005 |
| 74.21 | Requête en vue d'obtenir un certificat de nomination à titre de nouveau fiduciaire de la succession testamentaire | 1 ^{er} novembre 2005 |
| 74.22 | Consentement à la nomination d'un requérant à titre de nouveau fiduciaire de la succession testamentaire | 1 ^{er} novembre 2005 |
| 74.23 | Certificat de nomination à titre de nouveau fiduciaire de la succession testamentaire | 1 ^{er} novembre 2005 |
| 74.24 | Requête en vue d'obtenir un certificat de nomination à titre de nouveau fiduciaire de la succession non testamentaire | 1 ^{er} novembre 2005 |
| 74.25 | Consentement à la nomination d'un requérant à titre de nouveau fiduciaire de la succession non testamentaire | 1 ^{er} novembre 2005 |

| Numéro de la formule | Titre de la formule | Date de la formule |
|----------------------|--|-------------------------------|
| 74.26 | Certificat de nomination à titre de nouveau fiduciaire de la succession non testamentaire | 1 ^{er} novembre 2005 |
| 74.27 | Requête en vue d'obtenir la confirmation, par réapposition de sceau, de la nomination d'un fiduciaire de la succession ou en vue d'obtenir un certificat de nomination auxiliaire à titre de fiduciaire de la succession | 1 ^{er} novembre 2005 |
| 74.28 | Confirmation, par réapposition de sceau, de la nomination d'un fiduciaire de la succession | 1 ^{er} novembre 2005 |
| 74.29 | Certificat de nomination auxiliaire à titre de fiduciaire de la succession testamentaire | 1 ^{er} novembre 2005 |
| 74.30 | Requête en vue d'obtenir un certificat de nomination à titre de fiduciaire de la succession pour la durée du litige | 1 ^{er} novembre 2005 |
| 74.31 | Certificat de nomination à titre de fiduciaire de la succession pour la durée du litige | 1 ^{er} novembre 2005 |
| 74.32 | Cautionnement — compagnie d'assurance ou de cautionnement | 1 ^{er} novembre 2005 |
| 74.33 | Cautionnement — cautions personnelles | 1 ^{er} novembre 2005 |
| 74.34 | Avis du greffier au fiduciaire de la succession désigné dans un testament déposé de la requête en vue d'obtenir un certificat de nomination à titre de fiduciaire de la succession testamentaire | 1 ^{er} novembre 2005 |
| 74.35 | Avis du greffier au fiduciaire de la succession désigné dans un testament déposé de la requête en vue d'obtenir un certificat de nomination à titre de fiduciaire de la succession non testamentaire | 1 ^{er} novembre 2005 |
| 74.36 | Ordonnance enjoignant à une personne d'accepter ou de refuser d'être nommée fiduciaire de la succession testamentaire | 1 ^{er} novembre 2005 |
| 74.37 | Ordonnance enjoignant à une personne d'accepter ou de refuser d'être nommée fiduciaire de la succession non testamentaire | 1 ^{er} novembre 2005 |
| 74.38 | Ordonnance enjoignant à une personne de consentir ou de s'opposer à la nomination proposée d'un fiduciaire de la succession testamentaire ou d'un fiduciaire de la succession non testamentaire | 1 ^{er} novembre 2005 |
| 74.39 | Ordonnance enjoignant de déposer un état des biens de la succession | 1 ^{er} novembre 2005 |
| 74.40 | Ordonnance visant un témoin bénéficiaire | 1 ^{er} novembre 2005 |
| 74.41 | Ordonnance visant un ancien conjoint | 1 ^{er} novembre 2005 |
| 74.42 | Ordonnance de reddition de comptes | 1 ^{er} novembre 2005 |
| 74.43 | Affidavit attestant les comptes de la succession | 1 ^{er} novembre 2005 |
| 74.44 | Avis de requête en approbation des comptes | 1 ^{er} novembre 2005 |
| 74.45 | Avis d'opposition aux comptes | 1 ^{er} novembre 2005 |
| 74.46 | Avis de non-opposition aux comptes | 1 ^{er} novembre 2005 |
| 74.46.1 | Avis de non-participation à l'approbation des comptes | 1 ^{er} novembre 2005 |
| 74.47 | Affidavit à l'appui d'un jugement d'approbation des comptes en l'absence de contestation | 1 ^{er} novembre 2005 |
| 74.48 | Avis de retrait d'opposition | 1 ^{er} novembre 2005 |
| 74.49 | Demande de dépens (présentée par une personne autre que l'avocat des enfants ou le tuteur et curateur public) | 1 ^{er} novembre 2005 |
| 74.49.1 | Demande de dépens (présentée par l'avocat des enfants ou le tuteur et curateur public) | 1 ^{er} novembre 2005 |
| 74.49.2 | Demande d'augmentation des dépens (fiduciaire de la succession) | 1 ^{er} novembre 2005 |
| 74.49.3 | Demande d'augmentation des dépens (présentée par une personne autre que le fiduciaire de la succession) | 1 ^{er} novembre 2005 |
| 74.50 | Jugement d'approbation des comptes en l'absence de contestation | 1 ^{er} novembre 2005 |
| 74.51 | Jugement d'approbation des comptes en cas de contestation | 1 ^{er} novembre 2005 |
| 75.1 | Avis d'opposition | 1 ^{er} novembre 2005 |
| 75.1A | Demande de désignation d'un médiateur | 1 ^{er} novembre 2005 |
| 75.1B | Avis du médiateur | 1 ^{er} novembre 2005 |
| 75.1C | Exposé des questions en litige | 1 ^{er} novembre 2005 |
| 75.1D | Certificat de défaut de se conformer | 1 ^{er} novembre 2005 |
| 75.2 | Avis de dépôt d'une opposition | 1 ^{er} novembre 2005 |
| 75.3 | Avis à l'opposant | 1 ^{er} novembre 2005 |
| 75.4 | Avis de comparution | 1 ^{er} novembre 2005 |
| 75.5 | Avis de requête en vue d'obtenir des directives | 1 ^{er} novembre 2005 |
| 75.6 | Avis de motion en vue d'obtenir des directives | 1 ^{er} novembre 2005 |
| 75.7 | Déclaration faisant suite à une ordonnance donnant des directives | 1 ^{er} novembre 2005 |
| 75.8 | Ordonnance donnant des directives — cas où le dépôt d'actes de procédure est ordonné | 1 ^{er} novembre 2005 |
| 75.9 | Ordonnance donnant des directives — cas où l'instruction de questions est ordonnée | 1 ^{er} novembre 2005 |
| 75.10 | Déclaration de soumission de droits au tribunal | 1 ^{er} novembre 2005 |
| 75.11 | Avis de transaction | 1 ^{er} novembre 2005 |
| 75.12 | Déclaration de rejet de la transaction | 1 ^{er} novembre 2005 |
| 75.13 | Avis de contestation | 1 ^{er} novembre 2005 |
| 75.14 | Réclamation contre la succession | 1 ^{er} novembre 2005 |

| Numéro de la formule | Titre de la formule | Date de la formule |
|----------------------|--|-------------------------------|
| 76A | Avis de continuation ou non de l'action dans le cadre de la Règle 76 | 1 ^{er} novembre 2005 |
| 76B | Formule de motion relative à la procédure simplifiée | 1 ^{er} novembre 2005 |
| 76C | Avis de mise en état en vue de la conférence préparatoire au procès | 1 ^{er} novembre 2005 |
| 76D | Aide-mémoire pour la gestion du procès | 1 ^{er} novembre 2005 |
| 77C | Formule de motion relative à la gestion d'une cause | 1 ^{er} novembre 2005 |
| 77D | Formule pour la conférence de gestion du procès | 1 ^{er} novembre 2005 |
| 78A | Calendrier | 1 ^{er} novembre 2005 |

3. Les formules 4A à 78A du Règlement sont abrogées.

4. Le présent règlement entre en vigueur le 1^{er} juillet 2006.

12/06

ONTARIO REGULATION 78/06

made under the

COURTS OF JUSTICE ACT

Made: January 30, 2006

Approved: March 9, 2006

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Amending O. Reg. 258/98

(Rules of the Small Claims Court)

Note: Ontario Regulation 258/98 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. The heading to Rule 1 of Ontario Regulation 258/98 is revoked and the following substituted:

RULE 1 GENERAL

2. (1) The definition of “information technology” in subrule 1.02 (1) of the Regulation is revoked.

(2) Subrule 1.02 (1) of the Regulation is amended by adding the following definition:

“self-represented”, when used in reference to a person, means that the person is not represented by a lawyer, student-at-law or agent. (“s’autoreprésenter”)

(3) Subrule 1.02 (2) of the Regulation is revoked.

3. Subrule 1.03 (2) of the Regulation is revoked and the following substituted:

Matters Not Covered in Rules

(2) If these rules do not cover a matter adequately, the court may give directions and make any order that is just, and the practice shall be decided by analogy to these rules, by reference to the *Courts of Justice Act* and the Act governing the action and, if the court considers it appropriate, by reference to the Rules of Civil Procedure.

4. Rules 1.05 and 1.06 of the Regulation are revoked and the following substituted:

Standards for Documents

1.05 A document in a proceeding shall be printed, typewritten, written or reproduced legibly.

Forms

1.06 (1) The forms prescribed by these rules shall be used where applicable and with such variations as the circumstances require.

Table of Forms

(2) In these rules, when a form is referred to by number, the reference is to the form with that number that is described in the Table of Forms at the end of these rules and is available on the Internet through www.ontariocourtforms.on.ca.

Additional Parties

(3) If a form does not have sufficient space to list all of the parties to the action on the first page, the remaining parties shall be listed in Form 1A and appended to the form immediately following the first page.

Telephone and Video Conferences — Where Available

1.07 (1) If facilities for a telephone or video conference are available at the court, all or part of any of the following may be heard or conducted by telephone or video conference as permitted by subrules (2) and (3):

1. A settlement conference.
2. A motion.

Request to be Made

(2) A settlement conference or motion may be heard or conducted by telephone or video conference if a party files a request for the conference (Form 1B), indicating the reasons for the request, and the court grants the request.

Balance of Convenience

(3) In deciding whether to direct a telephone or video conference, the judge shall consider,

- (a) the balance of convenience between the party that wants the telephone or video conference and any party that opposes it; and
- (b) any other relevant matter.

Arrangements for Conference

(4) If an order directing a telephone or video conference is made, the court shall make the necessary arrangements for the conference and notify the parties of them.

Setting Aside or Varying Order

(5) A judge presiding at a proceeding or step in a proceeding may set aside or vary an order directing a telephone or video conference.

5. Subrule 4.02 (2) of the Regulation is amended by striking out “Form 4B” in the portion before clause (a) and substituting “Form 4A”.

6. Subrules 5.04 (1.1) and (1.1.1) of the Regulation are revoked.

7. Subrule 5.05 (3) of the Regulation is amended by striking out “move before a judge” and substituting “make a motion”.

8. (1) Rule 6.01 of the Regulation is revoked and the following substituted:

Place of Commencement and Trial

6.01 (1) An action shall be commenced,

- (a) in the territorial division,
 - (i) in which the cause of action arose, or
 - (ii) in which the defendant or, if there are several defendants, in which any one of them resides or carries on business; or
- (b) at the court’s place of sitting that is nearest to the place where the defendant or, if there are several defendants, where any one of them resides or carries on business.

(2) An action shall be tried in the place where it is commenced, but if the court is satisfied that the balance of convenience substantially favours holding the trial at another place than those described in subrule (1), the court may order that the action be tried at that other place.

(3) If, when an action is called for trial or settlement conference, the judge finds that the place where the action was commenced is not the proper place of trial, the court may order that the action be tried in any other place where it could have been commenced under this rule.

(2) Rule 6.03 of the Regulation is revoked.

9. (1) Subparagraph 1 iv of subrule 7.01 (2) of the Regulation is amended by striking out “unrepresented” and substituting “self-represented”.

(2) Subrule 7.01 (3) of the Regulation is revoked.

10. Subrules 8.01 (3.1), (4), (4.1), (4.1.1), (5), (6), (7), (8), (9), (10), (11) and (12) of the Regulation are revoked and the following substituted:

Default Judgment

(4) A default judgment (Form 11B) shall be served by the clerk, by mail or by fax, on all parties named in the claim.

Assessment Order

(5) An order made on a motion in writing for an assessment of damages under subrule 11.03 (2) shall be served by the clerk to the moving party if the party provides a stamped, self-addressed envelope with the notice of motion.

Settlement Conference Order

(6) An order made at a settlement conference shall be served by the clerk by mail or by fax, on all parties that did not attend the settlement conference.

Summons to Witness

(7) A summons to witness (Form 18A) shall be served personally by the party who requires the presence of the witness, or by the party's lawyer or agent, at least 10 days before the trial date; at the time of service, attendance money calculated in accordance with the regulations made under the *Administration of Justice Act* shall be paid or tendered to the witness.

Notice of Garnishment

(8) A notice of garnishment (Form 20E) shall be served by the creditor,

(a) together with a sworn affidavit for enforcement request (Form 20P), on the debtor, by mail, by courier, personally as provided in rule 8.02 or by an alternative to personal service as provided in rule 8.03; and

(b) together with a garnishee's statement (Form 20F), on the garnishee, by mail, by courier, personally as provided in rule 8.02 or by an alternative to personal service as provided in rule 8.03.

Notice of Garnishment Hearing

(9) A notice of garnishment hearing (Form 20Q) shall be served by the person requesting the hearing on the creditor, debtor, garnishee and co-owner of the debt, if any, and any other interested persons by mail, by courier, personally as provided in rule 8.02 or by an alternative to personal services as provided in rule 8.03.

Notice of Examination

(10) A notice of examination (Form 20H) shall be served by the creditor on the debtor or person to be examined by mail, by courier, personally as provided in rule 8.02 or by an alternative to personal service as provided in rule 8.03.

Financial Statement

(11) If the person to be examined is the debtor and the debtor is an individual, the creditor shall serve the notice of examination on the debtor together with a blank financial information form (Form 20I).

(12) The notice of examination and, if applicable, the financial information form shall be served at least 30 days before the date fixed for the examination.

Notice of Contempt Hearing

(13) A notice of a contempt hearing shall be served by the creditor on the debtor or person to be examined personally as provided in rule 8.02.

Other Documents

(14) A document not referred to in subrules (1) to (13) may be served by mail, by courier, by fax, personally as provided in rule 8.02 or by an alternative to personal service as provided in rule 8.03, unless the court orders otherwise.

11. (1) Clause 8.03 (2) (b) of the Regulation is amended by adding “or sending by courier” after “mailing”.

(2) Subrule 8.03 (3) of the Regulation is revoked and the following substituted:

Corporation

(3) If the head office or principal place of business of a corporation or, in the case of an extra-provincial corporation, the attorney for service in Ontario cannot be found at the last address recorded with the Ministry of Government Services, service may be made on the corporation,

- (a) by mailing or sending by courier a copy of the document to the corporation or to the attorney for service in Ontario, as the case may be, at that address; and
 - (b) by mailing or sending by courier a copy of the document to each director of the corporation as recorded with the Ministry of Government Services, at the director's address as recorded with that Ministry.
- (3) Subrule 8.03 (4) of the Regulation is amended by adding "or verified by courier that it was delivered" at the end.**
- (4) Subrule 8.03 (7) of the Regulation is amended by adding "or by courier" after "mail".**
- (5) Subrule 8.03 (8) of the Regulation is amended by striking out "after the date of mailing if an affidavit of service (Form 8B)" in the portion before clause (a) and substituting "after the date the document is mailed or verified by courier that it was delivered if an affidavit of service (Form 8A)".**

12. Rule 8.05 of the Regulation is amended by striking out "allow" and substituting "award".

13. Rule 8.06 of the Regulation is revoked and the following substituted:

Proof of Service

8.06 An affidavit of service (Form 8A) made by the person effecting the service constitutes proof of service of a document.

14. The English version of subrule 8.07 (1) of the Regulation is amended by striking out "sent by mail" in the portion before clause (a) and substituting "served by mail".

15. Rule 8 of the Regulation is amended by adding the following rule:

Service by Courier

8.07.1 (1) If a document is to be served by courier under these rules, it shall be sent by means of a commercial courier to the last address of the person or of the person's lawyer or agent that is on file with the court or known to the sender.

When Effective

(2) Service of a document sent by courier is deemed to be effective on the fifth day following the date on which the courier verifies to the sender that the document was delivered.

Exception

(3) Subrule (2) does not apply when a claim is served by courier under subrule 8.03 (7).

16. Rule 8.09 of the Regulation is revoked and the following substituted:

Notice of Change of Address

8.09 (1) A party whose address for service changes shall serve notice of the change on the court and other parties within seven days after the change takes place.

(2) Service of the notice may be proved by affidavit if the court orders that proof of service is required.

17. (1) Subrule 9.01 (1) of the Regulation is amended by striking out "(unless subrule 1.06 (10) applies because the defence is filed electronically)".

(2) Subrule 9.01 (2) of the Regulation is amended by striking out "or (3.1)" at the end.

(3) Subrule 9.01 (3) of the Regulation is revoked.

18. Subparagraph 1 ii of subrule 9.02 (1) of the Regulation is revoked and the following substituted:

ii. If the defendant is self-represented, the defendant's name, address and telephone number, and fax number if any.

19. Subrule 9.02 (2) of the Regulation is revoked.

20. (1) Clause 9.03 (2) (b) of the Regulation is revoked and the following substituted:

(b) the plaintiff may serve a notice of default of payment (Form 20L) on the defendant if the defendant fails to make payment in accordance with the proposal; and

(c) the clerk shall sign judgment for the unpaid balance of the undisputed amount on the filing of an affidavit of default of payment (Form 20M) by the plaintiff swearing,

(i) that the defendant failed to make payment in accordance with the proposal,

(ii) to the amount paid by the defendant and the unpaid balance, and

(iii) that 15 days have passed since the defendant was served with a notice of default of payment.

(2) Subrule 9.03 (3) of the Regulation is revoked and the following substituted:

Dispute

(3) The plaintiff may dispute the proposal within 20 days after service of the defence by filing with the clerk and serving on the defendant a request to clerk (Form 9B) for a terms of payment hearing before a referee or other person appointed by the court.

(3) Subrules 9.03 (4.2) and (4.3) of the Regulation are revoked and the following substituted:

Financial Information Form, Defendant an Individual

(4.2) The clerk shall serve a financial information form (Form 20I) on the defendant, together with the notice of hearing, if the defendant is an individual.

(4.3) Where a defendant receives a financial information form under subrule (4.2), he or she shall complete it and serve it on the creditor before the hearing, but shall not file it with the court.

(4) Subrule 9.03 (5) of the Regulation is amended by striking out “(Form 9C)”.

(5) Subrules 9.03 (6) and (6.1) of the Regulation are revoked and the following substituted:

Failure to Appear, Default Judgment

(6) If the defendant does not appear at the hearing, the clerk may sign default judgment against the defendant for the part of the claim that has been admitted and shall serve a default judgment (Form 11B) on the defendant in accordance with subrule 8.01 (4).

21. (1) Subrule 10.01 (2) of the Regulation is revoked and the following substituted:

(2) The defendant’s claim shall be in Form 10A and may be issued,

(a) within 20 days after the day on which the defence is filed; or

(b) after the time described in clause (a) but before trial or default judgment, with leave of the court.

(2) Subparagraphs i and iv of subrule 10.01 (4) of the Regulation are revoked and the following substituted:

i. The full names of the parties to the defendant’s claim and, if relevant, the capacity in which they sue or are sued.

iv. If the defendant is self-represented, the defendant’s name, address and telephone number, and fax number if any.

(3) Paragraph 1 of subrule 10.01 (4) of the Regulation is amended by adding the following subparagraph:

vii. The court file number assigned to the plaintiff’s claim.

(4) Subrules 10.01 (5), (7) and (8) of the Regulation are revoked.

22. Rule 10.03 of the Regulation is revoked and the following substituted:

Defence

10.03 (1) A party who wishes to dispute the defendant’s claim or a third party who wishes to dispute the plaintiff’s claim may, within 20 days after service of the defendant’s claim, file a defence (Form 9A) with the clerk, together with a copy for each of the other parties or persons against whom the defendant’s or plaintiff’s claim is made.

Service of Copy by Clerk

(2) On receiving a defence under subrule (1), the clerk shall retain the original in the court file and shall serve a copy on each party in accordance with subrule 8.01 (3).

23. Subrule 10.04 (3) of the Regulation is amended by adding at the end “but only if the third party has filed a defence in accordance with subrule 10.03 (1)”.

24. Rule 11 of the Regulation is revoked and the following substituted:

RULE 11 DEFAULT PROCEEDINGS

Noting Defendant in Default

11.01 (1) If a defendant to a plaintiff’s claim or a defendant’s claim fails to file a defence to all or part of the claim with the clerk within the prescribed time, the clerk may, when proof is filed that the claim was served within the territorial division, note the defendant in default.

Leave Required for Person under Disability

- (2) A person under disability may not be noted in default under subrule (1), except with leave of the court.

Service Outside Territorial Division

(3) If all the defendants have been served outside the court's territorial division, the clerk shall not note any defendant in default until it is proved by an affidavit for jurisdiction (Form 11A) submitted to the clerk, or by evidence presented before a judge, that the action was properly brought in that territorial division.

Default Judgment, Plaintiff's Claim, Debt or Liquidated Demand

11.02 (1) If a defendant has been noted in default, the clerk may sign default judgment (Form 11B) in respect of the claim or any part of the claim to which the default applies that is for a debt or liquidated demand in money, including interest if claimed.

(2) The fact that default judgment has been signed under subrule (1) does not affect the plaintiff's right to proceed on the remainder of the claim or against any other defendant for all or part of the claim.

Manner of Service of Default Judgment

- (3) A default judgment (Form 11B) shall be served in accordance with subrule 8.01 (4).

Default Judgment, Plaintiff's Claim, Unliquidated Demand

11.03 (1) If all defendants have been noted in default, the plaintiff may obtain judgment against a defendant noted in default with respect to any part of the claim to which rule 11.02 does not apply.

(2) To obtain judgment, the plaintiff may,

- (a) file with the court a motion in writing for an assessment of damages (Form 15A), together with a supporting affidavit (Form 15B) setting out the reasons why the motion should be granted and attaching any relevant documents; or
- (b) file a request to clerk (Form 9B) requesting that an assessment hearing be arranged.

Inadequate Supporting Affidavit

(3) On a motion in writing for an assessment of damages under clause (2) (a), a judge who finds the plaintiff's affidavit inadequate or unsatisfactory may order that,

- (a) a further affidavit be provided; or
- (b) an assessment hearing be held.

Assessment Hearing

(4) If an assessment hearing is to be held under clause (2) (b) or (3) (b), the clerk shall fix a date for the hearing and send a notice of hearing to the plaintiff, and the assessment hearing shall proceed as a trial in accordance with rule 17.

Matters to be Proved

(5) On a motion in writing for an assessment of damages or at an assessment hearing, the plaintiff is not required to prove liability against a defendant noted in default, but is required to prove the amount of the claim.

Service of Order

(6) An order made on a motion in writing for an assessment of damages shall be served by the clerk in accordance with subrule 8.01 (5).

No Assessment where Defence Filed

(7) If one or more defendants have filed a defence, a plaintiff requiring an assessment of damages against a defendant noted in default shall proceed to a settlement conference under rule 13 and, if necessary, a trial in accordance with rule 17.

Default Judgment, Defendant's Claim

11.04 If a party against whom a defendant's claim is made has been noted in default, judgment may be obtained against the party only at trial or on motion.

Consequences of Noting in Default

11.05 (1) A defendant who has been noted in default shall not file a defence or take any other step in the proceeding, except making a motion under rule 11.06, without leave of the court or the plaintiff's consent.

(2) Any step in the proceeding may be taken without the consent of a defendant who has been noted in default.

(3) A defendant who has been noted in default is not entitled to notice of any step in the proceeding and need not be served with any other document, except the following:

1. Subrule 11.02 (3) (service of default judgment).
2. Rule 12.01 (amendment of claim or defence).
3. Subrule 15.01 (6) (motion after judgment).
4. Postjudgment proceedings against a debtor under rule 20.

Setting Aside Noting of Default by Court on Motion

11.06 The court may set aside the noting in default or default judgment against a party and any step that has been taken to enforce the judgment, on such terms as are just, if the party makes a motion to set aside and the court is satisfied that,

- (a) the party has a meritorious defence and a reasonable explanation for the default; and
- (b) the motion is made as soon as is reasonably possible in all the circumstances.

RULE 11.1 DISMISSAL BY CLERK

Dismissal — Undefended Actions

11.1.01 (1) The clerk shall make an order dismissing an action as abandoned if the following conditions are satisfied, unless the court orders otherwise:

1. More than 180 days have passed since the date the claim was issued or an order was made extending the time for service of the claim under subrule 8.01 (2).
2. No defence has been filed and no request has been made to note the defendant in default.
3. The action has not been disposed of by order and has not been set down for trial.
4. The clerk has given 45 days notice that the action will be dismissed as abandoned.

Dismissal — Defended Actions

(2) The clerk shall make an order dismissing an action as abandoned if the following conditions are satisfied, unless the court orders otherwise:

1. More than 150 days have passed since the date the first defence was filed.
2. No settlement conference has been completed.
3. The action has not been disposed of by order and has not been set down for trial.
4. The clerk has given 45 days notice that the action will be dismissed as abandoned.

Transition

(3) If an action was started before July 1, 2006, the following applies:

1. The action or a step in the action shall be carried on under these rules on or after July 1, 2006.
2. Despite paragraph 1, if a step in the action is taken on or after July 1, 2006, the timetable set out in subrules (1) and (2) shall apply as if the action started on the date on which the step was taken.

Same

(4) If an action was commenced before July 1, 2006 and no step is taken in the action on or after that date, the clerk may make an order dismissing it as abandoned if,

- (a) where an action is undefended, more than two years have passed since the date the claim was issued and the conditions set out in paragraphs 2, 3 and 4 of subrule (1) are satisfied; or
- (b) more than two years have passed since the date the first defence was filed and the conditions set out in paragraphs 2, 3 and 4 of subrule (2) are satisfied.

Exception Where Terms of Settlement Signed

(5) Subrules (1), (2) and (4) do not apply if terms of settlement (Form 14D) signed by all parties have been filed.

Exception Where Admission of Liability

(6) Subrule (2) and clause (4) (b) do not apply if the defence contains an admission of liability for the plaintiff's claim and a proposal of terms of payment under subrule 9.03 (1).

Service of Orders

(7) The clerk shall serve a copy of an order made under subrule (1) or clause (4) (a) on the plaintiff and a copy of an order made under subrule (2) or clause (4) (b) on all parties to the action.

RULE 11.2 REQUEST FOR CLERK'S ORDER ON CONSENT

Consent Order

11.2.01 (1) The clerk shall, on the filing of a request for clerk's order (Form 11.2A), make an order granting the relief sought, including costs, if the following conditions are satisfied:

1. The relief sought is,
 - i. amending a claim or defence,
 - ii. adding, deleting or substituting a party,
 - iii. setting aside the noting in default or default judgment against a party and any specified step to enforce the judgment that has not yet been completed,
 - iv. restoring a matter that was dismissed under rule 11.1 to the list,
 - v. noting that payment has been made in full satisfaction of a judgment or terms of settlement, or
 - vi. dismissing an action.
2. The consent for clerk's order (Form 11.2B) signed by all parties (including any party to be added, deleted or substituted) is filed.
3. The consent states that no party that would be affected by the order is under disability.
4. The consent states that each party has received a copy of the request for clerk's order (Form 11.2A) and the consent for clerk's order (Form 11.2B).

Service of order

(2) The clerk shall serve a copy of an order made under subrule (1) in accordance with subrule 8.01 (14) on a party that requests it and provides a stamped, self-addressed envelope.

Same, Refusal to Make Order

(3) Where the clerk refuses to make an order, the clerk shall serve a copy of the request for clerk's order (Form 11.2A), with reasons for the refusal, on all the parties.

Notice of Setting Aside of Enforcement Step

(4) Where an order is made setting aside a specified step to enforce a judgment under subparagraph 1 iii of subrule (1), a party shall file a copy of the order at each court location where the enforcement step has been requested.

25. (1) Subrule 12.01 (2) of the Regulation is amended by striking out "subrule 8.01 (10)" and substituting "subrule 8.01 (14)".

(2) Subrule 12.01 (3) of the Regulation is amended by striking out "at least 30 days before the trial" and substituting "at least 30 days before the originally scheduled trial date".

(3) Rule 12.01 of the Regulation is amended by adding the following subrule:

No Amendment Required in Response

(5) A party who is served with an amended document is not required to amend the party's defence or claim.

26. Rule 12.02 of the Regulation is revoked and the following substituted:

Motion to Strike out or Amend a Document

12.02 (1) The court may, on motion, strike out or amend all or part of any document that,

- (a) discloses no reasonable cause of action or defence;
- (b) may delay or make it difficult to have a fair trial; or
- (c) is inflammatory, a waste of time, a nuisance or an abuse of the court's process.

(2) In connection with an order striking out or amending a document under subrule (1), the court may do one or more of the following:

1. In the case of a claim, order that the action be stayed or dismissed.
2. In the case of a defence, strike out the defence and grant judgment.
3. Impose such terms as are just.

27. Rule 13 of the Regulation is revoked and the following substituted:

RULE 13 SETTLEMENT CONFERENCES

Settlement Conference Required in Defended Action

13.01 (1) A settlement conference shall be held in every defended action.

Duty of Clerk

(2) The clerk shall fix a time, date and place for the settlement conference and serve a notice of settlement conference, together with a list of proposed witnesses (Form 13A), on the parties.

Timing

(3) The settlement conference shall be held within 90 days after the first defence is filed.

Exception

(4) Subrules (1) to (3) do not apply if the defence contains an admission of liability for all of the plaintiff's claim and a proposal of terms of payment under subrule 9.03 (1).

Attendance

13.02 (1) A party and the party's lawyer or agent, if any, shall, unless the court orders otherwise, participate in the settlement conference,

- (a) by personal attendance; or
- (b) by telephone or video conference in accordance with rule 1.07.

Authority to Settle

(2) A party who requires another person's approval before agreeing to a settlement shall, before the settlement conference, arrange to have ready telephone access to the other person throughout the conference, whether it takes place during or after regular business hours.

Additional Settlement Conferences

(3) The court may order the parties to attend an additional settlement conference.

(4) The clerk shall fix a time and place for any additional settlement conference and serve a notice of settlement conference, together with a list of proposed witnesses (Form 13A) on the parties.

Failure to Attend

(5) If a party who has received a notice of settlement conference fails to attend the conference, the court may,

- (a) impose appropriate sanctions, by way of costs or otherwise; and
- (b) order that an additional settlement conference be held, if necessary.

(6) If a defendant fails to attend a first settlement conference, receives notice of an additional settlement conference and fails to attend the additional settlement conference, the court may,

- (a) strike out the defence and dismiss the defendant's claim, if any, and allow the plaintiff to prove the plaintiff's claim; or
- (b) make such other order as is just.

Inadequate Preparation, Failure to File Material

(7) The court may award costs against a person who attends a settlement conference if,

- (a) in the opinion of the court, the person is so inadequately prepared as to frustrate the purposes of the conference;
- (b) the person fails to file the material required by subrule 13.03 (2).

Purposes of Settlement Conference

13.03 (1) The purposes of a settlement conference are,

- (a) to resolve or narrow the issues in the action;
- (b) to expedite the disposition of the action;
- (c) to encourage settlement of the action;
- (d) to assist the parties in effective preparation for trial; and
- (e) to provide full disclosure between the parties of the relevant facts and evidence.

Disclosure

(2) At least 14 days before the date of the settlement conference, each party shall serve on every other party and file with the court,

- (a) a copy of any document to be relied on at the trial, including an expert report, not attached to the party's claim or defence; and
- (b) a list of proposed witnesses (Form 13A) and of other persons with knowledge of the matters in dispute in the action.

(3) At the settlement conference, the parties or their representatives shall openly and frankly discuss the issues involved in the action.

Further Disclosure Restricted

(4) Except as otherwise provided or with the consent of the parties (Form 13B), the matters discussed at the settlement conference shall not be disclosed to others until after the action has been disposed of.

Recommendations to Parties

13.04 The court may make recommendations to the parties on any matter relating to the conduct of the action, in order to fulfil the purposes of a settlement conference, including recommendations as to,

- (a) the clarification and simplification of issues in the action;
- (b) the elimination of claims or defences that appear to be unsupported; and
- (c) the admission of facts or documents without further proof.

Orders at Settlement Conference

13.05 (1) A judge conducting a settlement conference may make any order relating to the conduct of the action that the court could make.

(2) Without limiting the generality of subrule (1), the judge may,

- (a) make an order,
 - (i) adding or deleting parties,
 - (ii) consolidating actions,
 - (iii) staying the action,
 - (iv) amending or striking out a claim or defence under rule 12.02,
 - (v) staying or dismissing a claim,
 - (vi) directing production of documents,
 - (vii) changing the place of trial under rule 6.01,
 - (viii) directing an additional settlement conference under subrule 13.02 (3), and
 - (ix) ordering costs; and
- (b) at an additional settlement conference, order judgment under subrule 13.02 (6).

Recommendations to Judge

(3) If the settlement conference is conducted by a referee, a judge may, on the referee's recommendation, make any order that may be made under subrules (1) and (2).

Consent to Final Judgment

(4) A judge may order final judgment at a settlement conference where the matter in dispute is for an amount under the appealable limit and a party files a consent (Form 13B) signed by all parties before the settlement conference indicating that they wish to obtain final determination of the matter at the settlement conference if a mediated settlement is not reached.

Service of Order

(5) Within 10 days after the judge signs an order made at a settlement conference, the clerk shall serve the order on the parties that were not present at the settlement conference in accordance with subrule 8.01 (6).

Memorandum

13.06 (1) At the end of the settlement conference, the court shall prepare a memorandum summarizing,

- (a) recommendations made under rule 13.04;

- (b) the issues remaining in dispute;
 - (c) the matters agreed on by the parties;
 - (d) any evidentiary matters that are considered relevant; and
 - (e) information relating to the scheduling of the remaining steps in the proceeding.
- (2) The memorandum shall be filed with the clerk, who shall give a copy to the trial judge.

Notice of Trial

13.07 At or after the settlement conference, the clerk shall provide the parties with a notice stating that one of the parties must request a trial date if the action is not disposed of within 30 days after the settlement conference, and pay the fee required for setting the action down for trial.

Judge Not To Preside At Trial

13.08 A judge who conducts a settlement conference in an action shall not preside at the trial of the action.

Withdrawal of Claim

13.09 After a settlement conference has been held, a claim against a party who is not in default shall not be withdrawn or discontinued by the party who brought the claim without,

- (a) the written consent of the party against whom the claim is brought; or
- (b) leave of the court.

Costs

13.10 The costs of a settlement conference, exclusive of disbursements, shall not exceed \$100 unless the court orders otherwise because there are special circumstances.

28. Rule 14 of the Regulation is amended by adding the following rule:

Written Documents

14.01.1 (1) An offer to settle, an acceptance of an offer to settle and a notice of withdrawal of an offer to settle shall be in writing.

Use of Forms

(2) An offer to settle may be in Form 14A, an acceptance of an offer to settle may be in Form 14B and a notice of withdrawal of an offer to settle may be in Form 14C.

Terms of Settlement

(3) The terms of an accepted offer to settle may be set out in terms of settlement (Form 14D).

29. Rules 14.02 to 14.04 of the Regulation are revoked and the following substituted:

Time for Making Offer

14.02 (1) An offer to settle may be made at any time.

Costs Consequences

(2) The costs consequences referred to in rule 14.07 apply only if the offer to settle is served on the party to whom it is made at least seven days before the trial commences.

Withdrawal

14.03 (1) An offer to settle may be withdrawn at any time before it is accepted, by serving a notice of withdrawal of an offer to settle on the party to whom it was made.

Deemed Withdrawal

(2) If an offer to settle specifies a date after which it is no longer available for acceptance, and has not been accepted on or before that date, the offer shall be deemed to have been withdrawn on the day after that date.

Expiry When Court Disposes of Claim

(3) An offer may not be accepted after the court disposes of the claim in respect of which the offer is made.

No Disclosure to Trial Judge

14.04 If an offer to settle is not accepted, no communication about it or any related negotiations shall be made to the trial judge until all questions of liability and the relief to be granted, other than costs, have been determined.

30. Subrule 14.05 (1) of the Regulation is revoked and the following substituted:

Acceptance of an Offer to Settle

(1) An offer to settle may be accepted by serving an acceptance of an offer to settle on the party who made it, at any time before it is withdrawn or before the court disposes of the claim in respect of which it is made.

31. Subrule 14.07 (3) of the Regulation is revoked and the following substituted:

(3) If an amount is awarded under subrule (1) or (2) to a self-represented party, the court may also award the party an amount not exceeding \$500 as compensation for inconvenience and expense.

32. Rules 15 and 16 of the Regulation are revoked and the following substituted:

RULE 15 MOTIONS

Notice of Motion and Affidavit

15.01 (1) A motion shall be made by a notice of motion (Form 15A) and a supporting affidavit (Form 15B).

(2) The moving party shall obtain a hearing date from the clerk before serving the notice of motion under subrule (3).

(3) The notice of motion and a supporting affidavit,

(a) shall be served on every party who has filed a claim and any defendant who has not been noted in default, at least seven days before the hearing date; and

(b) shall be filed, with proof of service, at least three days before the hearing date.

Supporting Affidavit in Response

(4) A party who prepares an affidavit (Form 15B) in response to the moving party's notice of motion shall serve it on every party who has filed a claim or defence and file it, with proof of service, at least two days before the hearing date.

Supplementary Affidavit

(5) The moving party may serve a supplementary affidavit on every party who has filed a claim or defence and file it, with proof of service, at least two days before the hearing date.

Motion After Judgment Signed

(6) A motion that is made after judgment has been signed shall be served on all parties, including those who have been noted in default.

Method of Hearing

15.02 (1) A motion may be heard,

(a) in person;

(b) by telephone or video conference in accordance with paragraph 2 of subrule 1.07 (1);

(c) by a judge in writing under clause 11.03 (2) (a);

(d) by any other method that the judge determines is fair and reasonable.

(2) The attendance of the parties is not required if the motion is in writing under clause (1) (c).

Motion Without Notice

15.03 (1) Despite rule 15.01, a motion may be made without notice if the nature or circumstances of the motion make notice unnecessary or not reasonably possible.

Service of Order

(2) A party who obtains an order on motion without notice shall serve it on every affected party, together with a copy of the notice of motion and supporting affidavit used on the motion, within five days after the order is signed.

Motion to Set Aside or Vary Motion Made Without Notice

(3) A party who is affected by an order obtained on motion without notice may make a motion to set aside or vary the order, within 30 days after being served with the order.

No Further Motions Without Leave

15.04 If the court is satisfied that a party has tried to delay the action, add to its costs or otherwise abuse the court's process by making numerous motions without merit, the court may, on motion, make an order prohibiting the party from making any further motions in the action without leave of the court.

Adjournment of Motion

15.05 A motion shall not be adjourned at a party's request before the hearing date unless the written consent of all parties is filed when the request is made, unless the court orders otherwise.

Withdrawal of Motion

15.06 A motion shall not be withdrawn without,

- (a) the written consent of all the parties; or
- (b) leave of the court.

Costs

15.07 The costs of a motion, exclusive of disbursements, shall not exceed \$100 unless the court orders otherwise because there are special circumstances.

RULE 16 NOTICE OF TRIAL***Clerk Fixes Date and Serves Notice***

16.01 (1) The clerk shall fix a date for trial and serve a notice of trial on each party who has filed a claim or defence if,

- (a) a settlement conference has been held; and
- (b) a party has requested that the clerk fix a date for trial and has paid the required fee.

Manner of Service

- (2) The notice of trial shall be served by mail or fax.

33. (1) Rule 17.01 of the Regulation is amended by adding the following subrule:

(2.1) In the case described in clause (2) (b) or (c), the person with the claim is not required to prove liability against the party who has failed to attend but is required to prove the amount of the claim.

(2) Rule 17.01 of the Regulation is amended by adding the following subrule:

Conditions to Making of Order under Subrule (4)

- (5) The court may make an order under subrule (4) only if,
 - (a) the party who failed to attend makes a motion for the order within 30 days after becoming aware of the judgment; or
 - (b) the party who failed to attend makes a motion for an extension of the 30-day period mentioned in clause (a) and the court is satisfied that there are special circumstances that justify the extension.

34. Rule 17.02 of the Regulation is amended by adding the following subrule:

(2) If the trial of an action has been adjourned two or more times, any further adjournment may be made only on motion with notice to all the parties who were served with the notice of trial, unless the court orders otherwise.

35. Rule 17.04 of the Regulation is revoked and the following substituted:

Motion for New Trial

17.04 (1) A party may make a motion for a new trial within 30 days after a final order is made.

Transcript

(2) The moving party shall serve and file proof that a transcript of evidence, or that portion of the transcript that is relevant, has been requested, in addition to the notice of motion (Form 15A) and affidavit (Form 15B) required under rule 15.01.

Service and Filing of Transcript

- (3) If available, a copy of the transcript or partial transcript of evidence shall, at least three days before the hearing date,
 - (a) be served on all parties who were served with the original notice of trial; and
 - (b) be filed, with proof of service.

Powers of Court on Motion

- (4) On the hearing of the motion, the court may,
 - (a) if the party demonstrates that a condition referred to in subrule (5) is satisfied,
 - (i) grant a new trial, or
 - (ii) pronounce the judgment that ought to have been given at trial and order judgment accordingly; or

- (b) dismiss the motion.

Conditions

- (5) The conditions referred to in clause (4) (a) are:

1. There was a purely arithmetical error in the determination of the amount of damages awarded.
2. There is relevant evidence that was not available to the party at the time of the original trial and could not reasonably have been expected to be available at that time.

- 36. (1) Subrule 18.02 (1) of the Regulation is revoked and the following substituted:**

Written Statements, Documents and Records

(1) A document or written statement or an audio or visual record that has been served, at least 30 days before the trial date, on all parties who were served with the notice of trial, shall be received in evidence, unless the trial judge orders otherwise.

(2) Paragraph 2 of subrule 18.02 (2) of the Regulation is amended by striking out “a financial record, a bill” and substituting “a financial record, a receipt, a bill”.

- (3) Subrule 18.02 (3) of the Regulation is revoked and the following substituted:

Details about Witness or Author

(3) A party who serves on another party a written statement or document described in subrule (2) shall append to or include in the statement or document,

- (a) the name, telephone number and address for service of the witness or author; and
- (b) if the witness or author is to give expert evidence, a summary of his or her qualifications.

- (4) Subrule 18.02 (5) of the Regulation is revoked and the following substituted:

Where Witness or Author is Summoned

(5) A party who serves a summons to witness on a witness or author referred to in subrule (3) shall, at the time the summons is served, serve a copy of the summons on every other party.

(6) Service of a summons and the payment or tender of attendance money under this rule may be proved by affidavit (Form 8A).

Adjournment

(7) A party who is not served with a copy of the summons in accordance with subrule (5) may request an adjournment of the trial, with costs.

- 37. (1) Subrules 18.03 (3) and (4) of the Regulation are revoked and the following substituted:**

- (3) A summons to witness (Form 18A) shall be served in accordance with subrule 8.01 (7).
- (4) Service of a summons and the payment or tender of attendance money may be proved by affidavit (Form 8A).

- (2) Rule 18.03 of the Regulation is amended by adding the following subrules:

Interpreter

(5.1) If a party serves a summons on a witness who requires an interpreter, the party shall arrange for a qualified interpreter to attend at the trial unless the interpretation is from English to French or French to English and an interpreter is provided by the Ministry of the Attorney General.

(5.2) If a party does not comply with subrule (5.1), every other party is entitled to request an adjournment of the trial, with costs.

- (3) Rule 18.03 of the Regulation is amended by adding the following subrule:

Identification Form

(6.1) The party who served the summons on the witness may file with the clerk an identification form (Form 20K) to assist the police in apprehending the witness.

- 38. (1) Subrule 19.01 (1) of the Regulation is revoked and the following substituted:**

Disbursements

(1) A successful party is entitled to have the party's reasonable disbursements, including any costs of effecting service and expenses for travel, accommodation, photocopying and experts' reports, paid by the unsuccessful party, unless the court orders otherwise.

(2) Subrule 19.01 (3) of the Regulation is amended by adding at the end “unless the court is of the opinion that there are special circumstances that justify assessing a greater amount”.

39. Rules 19.02 to 19.05 of the Regulation are revoked and the following substituted:

Limit

19.02 Any power under this rule to award costs is subject to section 29 of the *Courts of Justice Act*, which limits the amount of costs that may be awarded.

Preparation and Filing

19.03 The court may award a successful party an amount not exceeding \$50 for preparation and filing of pleadings.

Representation Fee

19.04 (1) If the amount claimed in an action exceeds \$500, exclusive of interest and costs, and the successful party is represented by a lawyer, student-at-law or agent, the court may award the party a reasonable representation fee at trial or at an assessment hearing.

(2) In the case of a student-at-law or an agent, the representation fee shall not exceed half of the maximum costs that may be awarded under section 29 of the *Courts of Justice Act*.

Compensation for Inconvenience and Expense

19.05 The court may order an unsuccessful party to pay to a successful party an amount not exceeding \$500 as compensation for inconvenience and expense, if,

- (a) the successful party is self-represented; and
- (b) the amount claimed in the action exceeds \$500, exclusive of interest and costs.

Penalty

19.06 If the court is satisfied that a party has unduly complicated or prolonged an action or has otherwise acted unreasonably, the court may order the party to pay an amount as compensation to another party.

40. Rule 20.01 of the Regulation is amended by striking out “In rules 20.02 to 20.10” in the portion before the definitions and substituting “In rules 20.02 to 20.12”.

41. Subrule 20.02 (3) of the Regulation is revoked and the following substituted:

Service of Notice of Default of Payment

(3) The creditor may serve the debtor with a notice of default of payment (Form 20L) in accordance with subrule 8.01 (14) and file a copy of it, together with an affidavit of default of payment (Form 20M), if the debtor fails to make payments under an order for periodic payment.

Termination on Default

(4) An order for periodic payment terminates on the day that is 15 days after the creditor serves the debtor with the notice of default of payment, unless a consent (Form 13B) in which the creditor waives the default is filed within the 15-day period.

42. Subrule 20.05 (3) of the Regulation is amended by adding “Unless the court orders otherwise” at the beginning.

43. (1) Subrule 20.06 (1) of the Regulation is amended by adding “for enforcement request (Form 20P)” after “affidavit”.

(2) Rule 20.06 of the Regulation is amended by adding the following subrule:

(1.1) If more than six years have passed since the order was made, a writ of seizure and sale of personal property may be issued under subrule (1) only with leave of the court.

(3) Subrules 20.06 (2) and (3) of the Regulation are revoked and the following substituted:

Duration of Writ

(2) A writ of seizure and sale of personal property remains in force for six years after the date of its issue and for a further six years after each renewal.

Renewal of Writ

(3) A writ of seizure and sale of personal property may be renewed before its expiration by filing a request to renew a writ of seizure and sale (Form 20N) with the clerk.

(4) Subrule 20.06 (6) of the Regulation is revoked and the following substituted:

Sale of Personal Property

(6) Personal property seized under a writ of seizure and sale of personal property shall not be sold by the bailiff unless notice of the time and place of sale has been,

- (a) mailed, at least 30 days before the sale,
 - (i) to the creditor at the address shown on the writ, or to the creditor's lawyer or agent, and
 - (ii) to the debtor at the debtor's last known address; and
- (b) advertised in a manner that is likely to bring it to the attention of the public.

44. (1) Subrule 20.07 (1) of the Regulation is amended by adding "for writ of seizure and sale of land (Form 20O)" after "affidavit".

(2) Rule 20.07 of the Regulation is amended by adding the following subrules:

Duration of Writ

(3) A writ of seizure and sale of land remains in force for six years after the date of its issue and for a further six years after each renewal.

Renewal of Writ

(4) A writ of seizure and sale of land may be renewed before its expiration by filing a request to renew a writ of seizure and sale (Form 20N) with the clerk.

45. (1) Subrules 20.08 (3) and (4) of the Regulation are revoked and the following substituted:

Obtaining Notice of Garnishment

(3) A creditor who seeks to enforce an order by garnishment shall file with the clerk in the territorial division in which the debtor resides or carries on business,

- (a) an affidavit for enforcement request (Form 20P) naming one debtor and one garnishee and stating,
 - (i) the date of the order and the amount awarded,
 - (ii) the territorial division in which the order was made,
 - (iii) the rate of postjudgment interest payable,
 - (iv) the total amount of any payments received since the order was granted,
 - (v) the amount owing, including postjudgment interest,
 - (vi) the name and address of the named garnishee to whom a notice of garnishment is to be directed,
 - (vii) the creditor's belief that the named garnishee is or will become indebted to the debtor, and the grounds for the belief, and
 - (viii) any particulars of the debts that are known to the creditor; and
- (b) a certificate of judgment (Form 20A), if the order was made in another territorial division.

(4) On the filing of the documents required by subrule (3), the clerk shall issue a notice of garnishment (Form 20E) naming as garnishee the person named in the affidavit.

(2) Subrule 20.08 (6) of the Regulation is revoked and the following substituted:

Service of Notice of Garnishment

(6) The notice of garnishment (Form 20E) shall be served by the creditor in accordance with subrule 8.01 (8).

(6.1) The creditor shall serve the notice of garnishment on the debtor within five days of serving it on the garnishee.

Financial Institution

(6.2) If the garnishee is a financial institution, the notice of garnishment and all further notices required to be served under this rule shall be served at the branch at which the debt is payable.

Proof of Service

(6.3) Service of the notice of garnishment may be proved by affidavit.

(3) Clause 20.08 (8) (b) of the Regulation is amended by striking out "24 months" and substituting "six years".

(4) Subrule 20.08 (9) of the Regulation is revoked and the following substituted:

Payment by Garnishee

(9) A garnishee who admits owing a debt to the debtor shall pay it to the clerk in the manner prescribed by the notice of garnishment, and the amounts paid into court shall not exceed the portion of the debtor's wages that are subject to seizure or garnishment under section 7 of the *Wages Act*.

(5) The English version of clause 20.08 (12) (b) of the Regulation is amended by adding "of the debt" after "co-owners".

(6) Subrule 20.08 (13) of the Regulation is revoked and the following substituted:

Service on Creditor and Debtor

(13) The garnishee shall serve a copy of the garnishee's statement on the creditor and the debtor.

(7) Subrule 20.08 (14) of the Regulation is amended by striking out "the co-owners of the debt, in accordance with subrule 8.01 (10)" and substituting "any co-owners of the debt, in accordance with subrule 8.01 (14)".

(8) Subrule 20.08 (15) of the Regulation is revoked and the following substituted:

Garnishment Hearing

(15) At the request of a creditor, debtor, garnishee, co-owner of the debt or any other interested person, the clerk shall fix a time and place for a garnishment hearing.

Service of Notice of Garnishment Hearing

(15.1) After having obtained a hearing date from the clerk, the party requesting the garnishment hearing shall serve the notice of garnishment hearing (Form 20Q) in accordance with subrule 8.01 (9).

Powers of Court at Hearing

(15.2) At the garnishment hearing, the court may,

- (a) if it is alleged that the garnishee's debt to the debtor has been assigned or encumbered, order the assignee or encumbrancer to appear and state the nature and particulars of the claim;
- (b) determine the rights and liabilities of the garnishee, any co-owner of the debt, the debtor and any assignee or encumbrancer;
- (c) vary or suspend periodic payments under a notice of garnishment; or
- (d) determine any other matter in relation to a notice of garnishment.

(9) Subrule 20.08 (20) of the Regulation is revoked and the following substituted:

Distribution of Payments

(20) When proof is filed that the notice of garnishment was served on the debtor, the clerk shall distribute a payment received under a notice of garnishment to a creditor in accordance with subrule (20.1), unless,

- (a) a hearing has been requested under subrule (15); or
- (b) a notice of motion has been filed under rule 8.10 or 11.06, subparagraph 1 iii of subrule 11.2.01 (1) or rule 17.04.

(20.1) The clerk shall distribute the payment,

- (a) in the case of the first payment under the notice of garnishment, 30 days after the date it is received; and
- (b) in the case of every subsequent payment under the notice of garnishment, as they are received.

46. (1) Subrule 20.09 (5) of the Regulation is revoked and the following substituted:

(5) The total of the amounts to be paid into court by the debtor under a consolidation order shall not exceed the portion of the debtor's wages that are subject to seizure or garnishment under section 7 of the *Wages Act*.

(2) Subrules 20.09 (11.2) and (11.3) of the Regulation are revoked.

47. (1) Clause 20.10 (2) (a) of the Regulation is amended by adding "(Form 20P)" after "affidavit" in the portion before subclause (i).

(2) Subrule 20.10 (3) of the Regulation is revoked and the following substituted:

Service of Notice of Examination

(3) The notice of examination shall be served in accordance with subrules 8.01 (10), (11) and (12).

(3) Rule 20.10 of the Regulation is amended by adding the following subrule:

Duties of Person to be Examined

- (4.1) A person who is served with a notice of examination shall,
- (a) inform himself or herself about the matters mentioned in subrule (4) and be prepared to answer questions about them; and
 - (b) in the case of an examination of a debtor who is an individual, complete a financial information form (Form 201) and serve it on the creditor requesting the examination, but shall not file it with the court.

(4) Subrule 20.10 (6) of the Regulation is revoked and the following substituted:

Examinations Private, Under Oath and Recorded

- (6) The examination shall be,
- (a) held in the absence of the public, unless the court orders otherwise;
 - (b) conducted under oath; and
 - (c) recorded.
- (5) Subrules 20.10 (9), (10), (10.1), (11), (12), (13), (14) and (15) of the Regulation are revoked.**

48. Rule 20 of the Regulation is amended by adding the following rules:

Contempt Hearing

20.11 (1) The court may order a person on whom a notice of examination has been served under rule 20.10 to attend before the court for a contempt hearing if the person attends the examination but refuses to answer questions or to produce documents or records.

Same

(2) The court may order a person on whom a notice of examination has been served under rule 20.10 to attend for a contempt hearing before a judge of the Superior Court of Justice if the person fails to attend the examination.

Notice of Contempt Hearing

- (3) If an order for a contempt hearing is made under subrule (1) or (2),
- (a) the clerk shall provide the creditor with a notice of contempt hearing setting out the time, date and place of the hearing; and
 - (b) the creditor shall serve the notice of contempt hearing on the debtor or other person in accordance with subrule 8.01 (13) and file the affidavit of service at least seven days before the hearing.

Setting Aside Order for Contempt Hearing

(4) A person who has been ordered to attend a contempt hearing under subrule (2) may make a motion to set aside the order, before or after receiving the notice of contempt hearing but before the date of the hearing and, on the motion, the court may set aside the order and order that the person attend another examination under rule 20.10.

Finding of Contempt of Court

(5) At a contempt hearing held under subrule (1), the court may find the person to be in contempt of court if the person fails to show cause why the person should not be held in contempt for refusing to answer questions or produce records or documents.

Same

(6) At a contempt hearing held under subrule (2), a judge of the Superior Court of Justice may find the person to be in contempt of court if the judge is satisfied that the person failed to attend as required by the notice of examination and that the failure to attend was wilful.

Other Powers of Court at Contempt Hearing

- (7) At a contempt hearing held under subrule (1) or (2), the court may order that the person,
- (a) attend an examination under rule 20.10;
 - (b) be jailed for a period not exceeding 40 days;
 - (c) attend an additional contempt hearing; or
 - (d) comply with any other order that the judge considers necessary or just.

Warrant of Committal

- (8) If a warrant of committal is ordered under clause (7) (b),
- (a) the creditor may complete and file with the clerk an identification form (Form 20K) to assist the police in apprehending the person named in the warrant of committal; and
 - (b) the clerk shall issue a warrant of committal (Form 20J), accompanied by the identification form, if any, directed to all police officers in Ontario to apprehend the person named in the warrant anywhere in Ontario and promptly bring the person to the nearest correctional institution.

Discharge

- (9) The person shall be discharged from custody on the order of the court or when the time prescribed in the warrant expires, whichever is earlier.

Duration and Renewal of Warrant of Committal

- (10) The warrant remains in force for 12 months after the date of issue and may be renewed by order of the court on a motion made by the creditor for 12 months at each renewal, unless the court orders otherwise.

Orders under subrules (9) and (10)

- (11) A warrant of committal issued pursuant to an order of a judge of the Superior Court of Justice under this rule may only be discharged or renewed by a judge of that court.

Satisfaction of Order

20.12 If payment is made in full satisfaction of an order,

- (a) where all parties consent, a party may file a request for clerk's order (Form 11.2A) indicating that payment has been made in full satisfaction of the order or terms of settlement; or
- (b) the debtor may make a motion for an order confirming that payment has been made in full satisfaction of the order or terms of settlement.

49. Rule 21 of the Regulation is revoked and the following substituted:

RULE 21 REFEREE

21.01 (1) A referee designated under subsection 77 (2) of the *Courts of Justice Act* may, if directed by the regional senior justice or his or her designate,

- (a) hear disputes of proposals of terms of payment under rule 9.03;
- (b) conduct settlement conferences under rule 13;
- (c) hear motions for consolidation orders under rule 20.09; and
- (d) assess receipted disbursements for fees paid to the court, a court reporter or a sheriff under the regulations made under the *Administration of Justice Act*.

(2) Except under subrule 9.03 (5) (order as to terms of payment), a referee shall not make a final decision in any matter referred to him or her but shall report his or her findings and recommendations to the court.

50. The Table of Forms to the Regulation is revoked and the following substituted:

TABLE OF FORMS

(See rule 1.06 and www.ontariocourtforms.on.ca)

| Form Number | Form Title | Date of Form |
|-------------|---|------------------|
| 1A | Additional Parties | January 25, 2006 |
| 1B | Request for Telephone or Video Conference | January 25, 2006 |
| 4A | Consent to Act as Litigation Guardian | January 25, 2006 |
| 5A | Notice to Alleged Partner | January 25, 2006 |
| 7A | Plaintiff's Claim | January 25, 2006 |
| 8A | Affidavit of Service | January 25, 2006 |
| 9A | Defence | January 25, 2006 |
| 9B | Request to Clerk | January 25, 2006 |
| 10A | Defendant's Claim | January 25, 2006 |
| 11A | Affidavit for Jurisdiction | January 25, 2006 |

| Form Number | Form Title | Date of Form |
|-------------|--|------------------|
| 11B | Default Judgment | January 25, 2006 |
| 11.2A | Request for Clerk's Order | January 25, 2006 |
| 11.2B | Consent for Clerk's Order | January 25, 2006 |
| 13A | List of Proposed Witnesses | January 25, 2006 |
| 13B | Consent | January 25, 2006 |
| 14A | Offer to Settle | January 25, 2006 |
| 14B | Acceptance of Offer to Settle | January 25, 2006 |
| 14C | Notice of Withdrawal of Offer to Settle | January 25, 2006 |
| 14D | Terms of Settlement | January 25, 2006 |
| 15A | Notice of Motion | January 25, 2006 |
| 15B | Affidavit | January 25, 2006 |
| 18A | Summons to Witness | January 25, 2006 |
| 18B | Warrant for Arrest of Defaulting Witness | January 25, 2006 |
| 20A | Certificate of Judgment | January 25, 2006 |
| 20B | Writ of Delivery | January 25, 2006 |
| 20C | Writ of Seizure and Sale of Personal Property | January 25, 2006 |
| 20D | Writ of Seizure and Sale of Land | January 25, 2006 |
| 20E | Notice of Garnishment | January 25, 2006 |
| 20F | Garnishee's Statement | January 25, 2006 |
| 20G | Notice to Co-owner of Debt | January 25, 2006 |
| 20H | Notice of Examination | January 25, 2006 |
| 20I | Financial Information Form | January 25, 2006 |
| 20J | Warrant of Committal | January 25, 2006 |
| 20K | Identification Form | January 25, 2006 |
| 20L | Notice of Default of Payment | January 25, 2006 |
| 20M | Affidavit of Default of Payment | January 25, 2006 |
| 20N | Request to Renew Writ of Seizure and Sale | January 25, 2006 |
| 20O | Affidavit for Writ of Seizure and Sale of Land | January 25, 2006 |
| 20P | Affidavit for Enforcement Request | January 25, 2006 |
| 20Q | Notice of Garnishment Hearing | January 25, 2006 |

51. Forms 1A to 20J of the Regulation are revoked.

52. This Regulation comes into force on July 1, 2006.

RÈGLEMENT DE L'ONTARIO 78/06

pris en application de la

LOI SUR LES TRIBUNAUX JUDICIAIRES

pris le 30 janvier 2006

approuvé le 9 mars 2006

déposé le 10 mars 2006

publié sur le site Lois-en-ligne le 13 mars 2006

imprimé dans la *Gazette de l'Ontario* le 25 mars 2006

modifiant le Règl. de l'Ont. 258/98

(Règles de la Cour des petites créances)

Remarque : Le Règlement de l'Ontario 258/98 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des règlements qui se trouve sur le site www.lois-en-ligne.gouv.on.ca.

1. L'intitulé de la règle 1 du Règlement de l'Ontario 258/98 est abrogé et remplacé par ce qui suit :

RÈGLE 1 DISPOSITIONS GÉNÉRALES

2. (1) La définition de «technologies de l'information» au paragraphe 1.02 (1) du Règlement est abrogée.

(2) Le paragraphe 1.02 (1) du Règlement est modifié par adjonction de la définition suivante :

«s'autoreprésenter» Relativement à une personne, s'entend du fait pour la personne de ne pas être représentée par un avocat, un étudiant en droit ou un mandataire. («self-represented»)

(3) Le paragraphe 1.02 (2) du Règlement est abrogé.

3. Le paragraphe 1.03 (2) du Règlement est abrogé et remplacé par ce qui suit :

Silence des règles

(2) Si les présentes règles ne traitent pas d'une question adéquatement, le tribunal peut donner des directives et rendre une ordonnance juste, et la pratique est décidée par analogie avec les présentes règles, par recours à la *Loi sur les tribunaux judiciaires* et à la loi régissant l'action et, si le tribunal le juge approprié, par recours aux Règles de procédure civile.

4. Les règles 1.05 et 1.06 du Règlement sont abrogées et remplacées par ce qui suit :

Normes applicables aux documents

1.05 Le document de procédure est imprimé, dactylographié, écrit à la main ou reproduit lisiblement.

Formules

1.06 (1) Les formules que prescrivent les présentes règles sont utilisées s'il y a lieu et avec les adaptations nécessaires.

Tableau des formules

(2) Dans les présentes règles, lorsqu'une formule est mentionnée par numéro, la mention renvoie à la formule qui porte ce numéro et qui est mentionnée dans le tableau des formules figurant à la fin des présentes règles et accessible sur Internet via www.ontariocourtforms.on.ca.

Parties additionnelles

(3) Si une formule ne contient pas suffisamment d'espace pour énumérer toutes les parties à l'action sur la première page, les autres parties sont énumérées sur la formule 1A, laquelle est jointe à la formule immédiatement après la première page.

Conférences téléphoniques et vidéoconférences — Applicabilité

1.07 (1) Si des installations en vue de la tenue d'une conférence téléphonique ou d'une vidéoconférence sont disponibles au tribunal, tout ou partie de ce qui suit peut être entendu ou mené par conférence téléphonique ou vidéoconférence comme le permettent les paragraphes (2) et (3) :

1. Une conférence en vue d'une transaction.
2. Une motion.

Présentation d'une demande

(2) Une conférence en vue d'une transaction peut être tenue ou une motion peut être entendue par conférence téléphonique ou vidéoconférence si une partie dépose une demande (formule 1B) en ce sens dans laquelle elle indique les motifs de celle-ci, et le tribunal agréé la demande.

Prépondérance des inconvénients

(3) Lorsqu'il décide s'il doit ordonner la tenue d'une conférence téléphonique ou d'une vidéoconférence, le juge tient compte des facteurs suivants :

- a) la prépondérance des inconvénients qu'il établit entre ceux que subirait la partie qui veut la tenue de la conférence téléphonique ou de la vidéoconférence et ceux que subirait toute partie qui s'y oppose;
- b) les autres questions pertinentes.

Dispositions relatives à la conférence

(4) Si une ordonnance prescrivant la tenue d'une conférence téléphonique ou d'une vidéoconférence est rendue, le tribunal prend les dispositions nécessaires à cette fin et en avise les parties.

Annulation ou modification de l'ordonnance

(5) Le juge qui préside une instance ou une étape d'une instance peut annuler ou modifier une ordonnance prescrivant la tenue d'une conférence téléphonique ou d'une vidéoconférence.

5. Le paragraphe 4.02 (2) du Règlement est modifié par substitution de «(formule 4A)» à «(formule 4B)» dans le passage qui précède l'alinéa a).

6. Les paragraphes 5.04 (1.1) et (1.1.1) du Règlement sont abrogés.

7. Le paragraphe 5.05 (3) du Règlement est modifié par substitution de «demander, par voie de motion» à «demander au juge, par voie de motion».

8. (1) La règle 6.01 du Règlement est abrogée et remplacée par ce qui suit :

Lieu de l'introduction et de l'instruction

6.01 (1) L'action est introduite :

- a) soit dans la division territoriale où, selon le cas :
 - (i) la cause d'action a pris naissance,
 - (ii) le défendeur ou, s'il y a plusieurs défendeurs, l'un d'eux réside ou exploite une entreprise;
- b) soit à l'endroit où siège le tribunal qui est le plus près de l'endroit où le défendeur ou, s'il y a plusieurs défendeurs, l'un d'eux réside ou exploite une entreprise.

(2) L'action est instruite à l'endroit où elle est introduite, mais si le tribunal est convaincu qu'il est nettement préférable, en évaluant la prépondérance des inconvénients, que l'instruction ait lieu à un endroit autre que ceux mentionnés au paragraphe (1), il peut ordonner que l'action soit instruite à cet endroit.

(3) Lorsqu'une action est appelée à l'instruction ou à une conférence en vue d'une transaction, si le juge conclut que le lieu où l'action a été introduite n'est pas le lieu approprié pour son instruction, le tribunal peut ordonner que l'action soit instruite à tout autre endroit où elle aurait pu être introduite aux termes de la présente règle.

(2) La règle 6.03 du Règlement est abrogée.

9. (1) La sous-disposition 1 iv du paragraphe 7.01 (2) du Règlement est modifiée par substitution de «s'autoreprésente» à «n'est pas représenté».

(2) Le paragraphe 7.01 (3) du Règlement est abrogé.

10. Les paragraphes 8.01 (3.1), (4), (4.1), (4.1.1), (5), (6), (7), (8), (9), (10), (11) et (12) du Règlement sont abrogés et remplacés par ce qui suit :

Jugement par défaut

(4) Le greffier signifie, par la poste ou par télécopie, un jugement par défaut (formule 11B) à toutes les parties nommées dans la demande.

Ordonnance d'évaluation

(5) Le greffier signifie l'ordonnance rendue par suite de la présentation d'une motion par écrit en vue d'une évaluation des dommages-intérêts visée au paragraphe 11.03 (2), à l'auteur de la motion si celui-ci fournit une enveloppe préadressée et affranchie avec l'avis de motion.

Ordonnance rendue lors d'une conférence en vue d'une transaction

(6) Le greffier signifie, par la poste ou par télécopie, l'ordonnance rendue lors d'une conférence en vue d'une transaction, à toutes les parties qui n'étaient pas présentes à la conférence.

Assignment de témoin

(7) Une assignation de témoin (formule 18A) est signifiée à personne, au moins 10 jours avant la date du procès, par la partie qui veut appeler un témoin ou par son avocat ou son mandataire. L'indemnité de présence, calculée conformément aux règlements pris en application de la *Loi sur l'administration de la justice*, est versée ou offerte au témoin au moment de la signification.

Avis de saisie-arrêt

(8) Un avis de saisie-arrêt (formule 20E) est signifié par le créancier :

- a) d'une part, avec un affidavit fait sous serment relatif à une demande d'exécution forcée (formule 20P), au débiteur, par la poste, par messagerie, à personne conformément à la règle 8.02 ou selon un autre mode de signification directe prévu à la règle 8.03;
- b) d'autre part, avec une déclaration du tiers saisi (formule 20F), au tiers saisi, par la poste, par messagerie, à personne conformément à la règle 8.02 ou selon un autre mode de signification directe prévu à la règle 8.03.

Avis d'audience sur la saisie-arrêt

(9) Un avis d'audience sur la saisie-arrêt (formule 20Q) est signifié, par la personne qui demande l'audience, au créancier, au débiteur, au tiers saisi et au cotitulaire de la créance, s'il y a en un, et aux autres intéressés, par la poste, par messagerie, à personne conformément à la règle 8.02 ou selon un autre mode de signification directe prévu à la règle 8.03.

Avis d'interrogatoire

(10) Un avis d'interrogatoire (formule 20H) est signifié par le créancier au débiteur ou à la personne qui doit être interrogée, par la poste, par messagerie, à personne conformément à la règle 8.02 ou selon un autre mode de signification directe prévu à la règle 8.03.

État financier

(11) Si la personne qui doit être interrogée est le débiteur et que ce dernier est un particulier, le créancier lui signifie l'avis d'interrogatoire accompagné d'une formule de renseignements financiers (formule 20I) en blanc.

(12) L'avis d'interrogatoire et, s'il y a lieu, la formule de renseignements financiers sont signifiés au moins 30 jours avant la date fixée pour l'interrogatoire.

Avis d'audience pour outrage

(13) Un avis d'audience pour outrage est signifié, par le créancier au débiteur ou à la personne qui doit être interrogée, à personne conformément à la règle 8.02.

Autres documents

(14) Sauf ordonnance contraire du tribunal, les documents qui ne sont pas visés aux paragraphes (1) à (13) peuvent être signifiés par la poste, par messagerie, par télécopie, à personne conformément à la règle 8.02 ou selon un autre mode de signification directe prévu à la règle 8.03.

11. (1) L'alinéa 8.03 (2) b) du Règlement est modifié par insertion de «ou par messagerie» après «par la poste».

(2) Le paragraphe 8.03 (3) du Règlement est abrogé et remplacé par ce qui suit :

Personne morale

(3) Si le siège social ou le principal établissement d'une personne morale ou, s'il s'agit d'une personne morale extraprovinciale, son fondé de pouvoir aux fins de signification en Ontario, ne se trouve pas à la dernière adresse figurant dans les dossiers du ministère des Services gouvernementaux, la signification peut se faire :

- a) d'une part, en envoyant par la poste ou par messagerie une copie du document à la personne morale ou à son fondé de pouvoir aux fins de signification en Ontario, selon le cas, à cette adresse;
- b) d'autre part, en envoyant par la poste ou par messagerie une copie du document à chaque administrateur de la personne morale dont le nom figure dans les dossiers du ministère des Services gouvernementaux, à l'adresse de l'administrateur figurant dans les dossiers de ce ministère.

(3) Le paragraphe 8.03 (4) du Règlement est modifié par substitution de «l'envoi du document par la poste ou la confirmation de sa remise par la messagerie» à «l'envoi par la poste du document» à la fin du paragraphe.

(4) Le paragraphe 8.03 (7) du Règlement est modifié par insertion de «ou par messagerie» après «par la poste».

(5) Le paragraphe 8.03 (8) du Règlement est modifié par substitution de «suivant la date d'envoi du document par la poste ou la date de confirmation de sa remise par la messagerie si un affidavit de signification (formule 8A)» à «suivant la date de la mise à la poste si un affidavit de signification (formule 8B)» dans le passage qui précède l'alinéa a).

12. La règle 8.05 du Règlement est modifiée par substitution de «adjuger» à «permettre».

13. La règle 8.06 du Règlement est abrogée et remplacée par ce qui suit :

Preuve de la signification

8.06 Un affidavit de signification (formule 8A) établi par la personne qui a effectué la signification constitue la preuve de la signification d'un document.

14. La version anglaise du paragraphe 8.07 (1) du Règlement est modifiée par substitution de «served by mail» à «sent by mail» dans le passage qui précède l'alinéa a).

15. La règle 8 du Règlement est modifiée par adjonction de la règle suivante :

Signification par messagerie

8.07.1 (1) La signification d'un document par messagerie conformément aux présentes règles est faite, par messagerie commerciale, à la dernière adresse de la personne ou de son avocat ou mandataire qui figure dans les dossiers du tribunal ou qui est connue de l'expéditeur.

Validité de la signification

(2) La signification d'un document envoyé par messagerie est réputée valide dès le cinquième jour suivant la date à laquelle la messagerie confirme à l'expéditeur la remise du document.

Exception

(3) Le paragraphe (2) ne s'applique pas lorsqu'une demande est signifiée par messagerie en vertu du paragraphe 8.03 (7).

16. La règle 8.09 du Règlement est abrogée et remplacée par ce qui suit :

Avis de changement d'adresse

8.09 (1) La partie dont l'adresse aux fins de signification change signifie un avis du changement au tribunal et aux autres parties dans les sept jours qui suivent le changement.

(2) La signification de l'avis peut être établie au moyen d'un affidavit si le tribunal ordonne que la preuve de la signification est nécessaire.

17. (1) Le paragraphe 9.01 (1) du Règlement est modifié par suppression de «(sauf si le paragraphe 1.06 (10) s'applique parce que la défense est déposée par voie électronique)» à la fin du paragraphe.

(2) Le paragraphe 9.01 (2) du Règlement est modifié par suppression de «ou (3.1)» à la fin du paragraphe.

(3) Le paragraphe 9.01 (3) du Règlement est abrogé.

18. La sous-disposition 1 ii du paragraphe 9.02 (1) du Règlement est abrogée et remplacée par ce qui suit :

ii. Si le défendeur s'autoreprésente, les nom, adresse et numéro de téléphone, ainsi que le numéro de télécopieur, le cas échéant, de celui-ci.

19. Le paragraphe 9.02 (2) du Règlement est abrogé.

20. (1) L'alinéa 9.03 (2) b) du Règlement est abrogé et remplacé par ce qui suit :

b) le demandeur peut signifier un avis de défaut de paiement (formule 20L) au défendeur si ce dernier n'effectue pas le paiement exigé conformément à la proposition;

c) le greffier consigne un jugement relativement au solde impayé de la somme non contestée après le dépôt d'un affidavit de défaut de paiement (formule 20M) par le demandeur dans lequel celui-ci atteste sous serment ce qui suit :

(i) le défendeur n'a pas effectué le paiement exigé conformément à la proposition,

(ii) le montant acquitté par le défendeur et le solde impayé,

(iii) 15 jours se sont écoulés depuis qu'un avis de défaut de paiement a été signifié au défendeur.

(2) Le paragraphe 9.03 (3) du Règlement est abrogé et remplacé par ce qui suit :

Contestation

(3) Le demandeur peut contester la proposition dans les 20 jours qui suivent la signification de la défense en déposant auprès du greffier et en signifiant au défendeur une demande au greffier (formule 9B) en vue de la tenue d'une audience relative aux modalités de paiement devant un arbitre ou une autre personne que nomme le tribunal.

(3) Les paragraphes 9.03 (4.2) et (4.3) du Règlement sont abrogés et remplacés par ce qui suit :

Formule de renseignements financiers : défendeur qui est un particulier

(4.2) Le greffier signifie au défendeur une formule de renseignements financiers (formule 20I), accompagnée de l'avis d'audience, si ce dernier est un particulier.

(4.3) Le défendeur qui reçoit une formule de renseignements financiers en application du paragraphe (4.2) la remplit et la signifie au créancier avant la tenue de l'audience, mais ne doit pas la déposer auprès du tribunal.

(4) Le paragraphe 9.03 (5) du Règlement est modifié par suppression de «(formule 9C)».

(5) Les paragraphes 9.03 (6) et (6.1) du Règlement sont abrogés et remplacés par ce qui suit :

Défaut de se présenter : jugement par défaut

(6) Si le défendeur ne se présente pas à l'audience, le greffier peut consigner contre lui un jugement par défaut relativement à la partie de la demande dont il a reconnu être redevable et lui signifie un jugement par défaut (formule 11B) conformément au paragraphe 8.01 (4).

21. (1) Le paragraphe 10.01 (2) du Règlement est abrogé et remplacé par ce qui suit :

(2) La demande du défendeur est rédigée selon la formule 10A et peut être délivrée :

- a) soit 20 jours après le jour du dépôt de la défense;
- b) soit après le délai prévu à l'alinéa a) mais avant le procès ou le jugement par défaut, avec l'autorisation du tribunal.

(2) Les sous-dispositions 1 i et iv du paragraphe 10.01 (4) du Règlement sont abrogées et remplacées par ce qui suit :

i. Les nom et prénoms des parties à la demande du défendeur et, si cela est pertinent, la qualité en laquelle elles sont parties à l'instance.

iv. Si le défendeur s'autoreprésente, ses nom, adresse et numéro de téléphone, ainsi que son numéro de télécopieur, le cas échéant.

(3) La disposition 1 du paragraphe 10.01 (4) du Règlement est modifiée par adjonction de la sous-disposition suivante :

vii. Le numéro du dossier du tribunal attribué à la demande du demandeur.

(4) Les paragraphes 10.01 (5), (7) et (8) du Règlement sont abrogés.

22. La règle 10.03 du Règlement est abrogée et remplacée par ce qui suit :

Défense

10.03 (1) La partie qui souhaite contester la demande du défendeur ou le tiers qui souhaite contester la demande du demandeur peut, dans les 20 jours suivant la signification de la demande du défendeur, déposer une défense (formule 9A) auprès du greffier, accompagnée d'une copie de celle-ci à l'intention de chacune des autres parties ou personnes contre qui est présentée la demande du défendeur ou celle du demandeur.

Signification de copies par le greffier

(2) À la réception d'une défense visée au paragraphe (1), le greffier conserve l'original dans le dossier du tribunal et en signifie une copie à chaque partie conformément au paragraphe 8.01 (3).

23. Le paragraphe 10.04 (3) du Règlement est modifié par adjonction de « , mais seulement si le tiers a déposé une défense conformément au paragraphe 10.03 (1) » à la fin du paragraphe.

24. La règle 11 du Règlement est abrogée et remplacée par ce qui suit :

RÈGLE 11 DÉFAUT

Constatation du défaut du défendeur

11.01 (1) Si un défendeur à la demande d'un demandeur ou à celle d'un défendeur n'a pas déposé de défense à tout ou partie de la demande auprès du greffier dans le délai prescrit, le greffier peut, après le dépôt de la preuve de la signification de la demande dans la division territoriale, constater le défendeur en défaut.

Autorisation requise à l'égard d'un incapable

(2) Un incapable ne peut être constaté en défaut aux termes du paragraphe (1) sans l'autorisation du tribunal.

Signification en dehors de la division territoriale

(3) Si tous les défendeurs ont reçu signification en dehors de la division territoriale du tribunal, le greffier ne constate le défaut d'aucun défendeur tant qu'il n'est pas établi au moyen d'un affidavit établissant la compétence (formule 11A) présenté au greffier, ou d'une preuve présentée devant un juge, que l'action a été intentée à bon droit dans cette division territoriale.

Jugement par défaut : demande d'un demandeur, créance ou somme déterminée

11.02 (1) Si un défendeur a été constaté en défaut, le greffier peut signer un jugement par défaut (formule 11B) à l'égard de la demande ou de toute partie de celle-ci à laquelle s'applique le défaut qui porte sur une créance ou une somme déterminée, y compris les intérêts si ceux-ci sont demandés.

(2) Le fait qu'un jugement par défaut a été signé en vertu du paragraphe (1) ne porte pas atteinte au droit du demandeur de poursuivre la demande à l'égard de ce qui reste ou contre tout autre défendeur pour la totalité ou une partie de la demande.

Mode de signification d'un jugement par défaut

(3) Le jugement par défaut (formule 11B) est signifié conformément au paragraphe 8.01 (4).

Jugement par défaut : demande d'un défendeur, somme indéterminée

11.03 (1) Si tous les défendeurs ont été constatés en défaut, le demandeur peut obtenir un jugement contre un défendeur constaté en défaut à l'égard de toute partie de la demande à laquelle la règle 11.02 ne s'applique pas.

(2) Pour obtenir un jugement, le demandeur peut :

- a) soit déposer auprès du tribunal une motion par écrit en vue d'une évaluation des dommages-intérêts (formule 15A), accompagnée d'un affidavit à l'appui (formule 15B) énonçant les motifs pour lesquels la motion doit être accordée et auquel sont annexés tous les documents pertinents;
- b) soit déposer une demande au greffier (formule 9B) dans laquelle il demande à celui-ci de fixer la date d'une audience d'évaluation.

Affidavit à l'appui insuffisant

(3) Sur présentation d'une motion par écrit en vue d'une évaluation des dommages-intérêts visée à l'alinéa (2) a), le juge qui conclut que l'affidavit du demandeur est insuffisant ou insatisfaisant peut ordonner :

- a) soit qu'un autre affidavit soit fourni;
- b) soit qu'une audience d'évaluation soit tenue.

Audience d'évaluation

(4) Si une audience d'évaluation doit être tenue en vertu de l'alinéa (2) b) ou (3) b), le greffier fixe la date de l'audience et envoie un avis d'audience au demandeur, et l'audience d'évaluation se déroule comme un procès conformément à la règle 17.

Questions à prouver

(5) Sur présentation d'une motion par écrit en vue d'une évaluation des dommages-intérêts ou lors d'une audience d'évaluation, le demandeur n'est pas tenu d'établir la responsabilité du défendeur constaté en défaut, mais il doit établir le montant de la demande.

Signification de l'ordonnance

(6) L'ordonnance rendue sur présentation d'une motion par écrit en vue d'une évaluation des dommages-intérêts est signifiée par le greffier conformément au paragraphe 8.01 (5).

Aucune évaluation si une défense est déposée

(7) Si un ou plusieurs défendeurs ont déposé une défense, le demandeur qui requiert une évaluation des dommages-intérêts contre un défendeur constaté en défaut passe à l'étape de la conférence en vue d'une transaction aux termes de la règle 13 et, si cela est nécessaire, au procès conformément à la règle 17.

Jugement par défaut : demande du défendeur

11.04 Si une partie contre qui est présentée la demande d'un défendeur a été constatée en défaut, un jugement ne peut être obtenu contre la partie qu'au procès ou sur motion.

Conséquences de la constatation du défaut

11.05 (1) Le défendeur qui a été constaté en défaut ne peut déposer de défense ni prendre d'autre mesure dans l'instance, si ce n'est présenter une motion visée à la règle 11.06, sans l'autorisation du tribunal ou le consentement du demandeur.

(2) Toute mesure dans l'instance peut être prise sans le consentement d'un défendeur qui a été constaté en défaut.

(3) Le défendeur qui a été constaté en défaut ne peut exiger d'être avisé des mesures prises dans l'instance ni de recevoir signification de tout autre document, à l'exception de ce qui suit :

1. Le paragraphe 11.02 (3) (signification d'un jugement par défaut).

2. La règle 12.01 (modification d'une demande ou d'une défense).
3. Le paragraphe 15.01 (6) (motion consécutive au jugement).
4. Les instances postérieures au jugement introduites contre un débiteur aux termes de la règle 20.

Annulation de la constatation du défaut par le tribunal, sur motion

11.06 Le tribunal peut annuler, à des conditions justes, la constatation du défaut ou le jugement par défaut rendu contre une partie et toute mesure qui a été prise pour exécuter le jugement, si la partie présente une motion en annulation et que le tribunal est convaincu de ce qui suit :

- a) la partie a un moyen de défense valable au fond et une explication raisonnable à l'égard du défaut;
- b) la motion est présentée dès qu'il est raisonnablement possible de le faire dans les circonstances.

RÈGLE 11.1 REJET PAR LE GREFFIER

Rejet — actions non contestées

11.1.01 (1) Le greffier rend une ordonnance rejetant une action pour cause de désistement si les conditions suivantes sont remplies, sauf ordonnance contraire du tribunal :

1. Plus de 180 jours se sont écoulés depuis la date à laquelle a été délivrée la demande ou a été rendue une ordonnance prorogeant le délai de signification de la demande visée au paragraphe 8.01 (2).
2. Aucune défense n'a été déposée et aucune demande n'a été présentée en vue de faire constater le défaut du défendeur.
3. L'action n'a pas été décidée par ordonnance ni inscrite pour instruction.
4. Le greffier a donné un préavis de 45 jours indiquant que l'action sera rejetée pour cause de désistement.

Rejet — actions contestées

(2) Le greffier rend une ordonnance rejetant une action pour cause de désistement si les conditions suivantes sont remplies, sauf ordonnance contraire du tribunal :

1. Plus de 150 jours se sont écoulés depuis la date de dépôt de la première défense.
2. Aucune conférence en vue d'une transaction n'a pris fin.
3. L'action n'a pas été décidée par ordonnance ni inscrite pour instruction.
4. Le greffier a donné un préavis de 45 jours indiquant que l'action sera rejetée pour cause de désistement.

Disposition transitoire

(3) Si une action a été intentée avant le 1^{er} juillet 2006, ce qui suit s'applique :

1. L'action ou une étape de celle-ci est conduite aux termes des présentes règles le 1^{er} juillet 2006 ou par la suite.
2. Malgré la disposition 1, si une étape de l'action commence le 1^{er} juillet 2006 ou par la suite, le calendrier visé aux paragraphes (1) et (2) s'applique comme si l'action avait été intentée à la date où a commencé l'étape.

Idem

(4) Si une action a été introduite avant le 1^{er} juillet 2006 et qu'aucune étape n'est commencée dans l'action à cette date ou par la suite, le greffier peut rendre une ordonnance la rejetant pour cause de désistement si, selon le cas :

- a) dans le cas d'une action non contestée, plus de deux ans se sont écoulés depuis la date de délivrance de la demande et qu'il est satisfait aux conditions prévues aux dispositions 2, 3 et 4 du paragraphe (1);
- b) plus de deux ans se sont écoulés depuis la date de dépôt de la première défense et qu'il est satisfait aux conditions prévues aux dispositions 2, 3 et 4 du paragraphe (2).

Exception : conditions de la transaction signées

(5) Les paragraphes (1), (2) et (4) ne s'appliquent pas si les conditions de la transaction (formule 14D) signées par toutes les parties ont été déposées.

Exception : reconnaissance de responsabilité

(6) Le paragraphe (2) et l'alinéa (4) b) ne s'appliquent pas si la défense comprend une reconnaissance de responsabilité à l'égard de la demande du demandeur et une proposition à l'égard des modalités de paiement visées au paragraphe 9.03 (1).

Signification des ordonnances

(7) Le greffier signifie une copie d'une ordonnance rendue en vertu du paragraphe (1) ou de l'alinéa (4) a) au demandeur et une copie d'une ordonnance rendue en vertu du paragraphe (2) ou de l'alinéa (4) b) à toutes les parties à l'action.

RÈGLE 11.2 DEMANDE D'ORDONNANCE DU GREFFIER SUR CONSENTEMENT

Ordonnance sur consentement

11.2.01 (1) Le greffier rend, sur dépôt d'une demande d'ordonnance du greffier (formule 11.2A), une ordonnance accordant la mesure de redressement demandée, y compris les dépens, si les conditions suivantes sont réunies :

1. La mesure de redressement demandée vise, selon le cas :
 - i. la modification d'une demande ou d'une défense,
 - ii. la jonction, la radiation ou la substitution d'une partie,
 - iii. l'annulation de la constatation du défaut d'une partie ou du jugement par défaut prononcé contre une partie et toute mesure précisée en vue de l'exécution du jugement qui n'est pas encore menée à terme,
 - iv. la réinscription au rôle d'une affaire qui a été rejetée aux termes de la règle 11.1,
 - v. le constat qu'un paiement intégral a été effectué en exécution d'un jugement ou des conditions de la transaction,
 - vi. le rejet d'une action.
2. Le consentement pour obtenir une ordonnance du greffier (formule 11.2B) signé par toutes les parties (y compris toute partie qui doit être jointe, radiée ou substituée) est déposé.
3. Il est indiqué dans le consentement qu'aucune partie sur laquelle l'ordonnance aurait une incidence n'est incapable.
4. Il est indiqué dans le consentement que chaque partie a reçu une copie de la demande d'ordonnance du greffier (formule 11.2A) et le consentement pour obtenir une ordonnance du greffier (formule 11.2B).

Signification de l'ordonnance

(2) Le greffier signifie une copie d'une ordonnance rendue en application du paragraphe (1) conformément au paragraphe 8.01 (14) à la partie qui en fait la demande et fournit une enveloppe préadressée et affranchie.

Idem : refus de rendre l'ordonnance

(3) S'il refuse de rendre une ordonnance, le greffier signifie une copie de la demande d'ordonnance du greffier (formule 11.2A), avec les motifs du refus, à toutes les parties.

Avis d'annulation d'une mesure d'exécution

(4) Si une ordonnance annulant une mesure précisée en vue de l'exécution d'un jugement qui est visée à la sous-disposition 1 iii du paragraphe (1) est rendue, une partie dépose une copie de l'ordonnance à chaque adresse du tribunal où a été demandée la mesure d'exécution.

25. (1) Le paragraphe 12.01 (2) du Règlement est modifié par substitution de «paragraphe 8.01 (14)» à «paragraphe 8.01 (10)» à la fin du paragraphe.

(2) Le paragraphe 12.01 (3) du Règlement est modifié par substitution de «au moins 30 jours avant la date du procès fixée à l'origine» à «au moins 30 jours avant le procès».

(3) La règle 12.01 du Règlement est modifiée par adjonction du paragraphe suivant :

Aucune modification nécessaire en réponse

(5) La partie à laquelle est signifié un document modifié n'est pas tenue de modifier sa défense ou sa demande.

26. La règle 12.02 du Règlement est abrogée et remplacée par ce qui suit :

Motion en radiation ou en modification d'un document

12.02 (1) Le tribunal peut, sur motion, radier ou modifier tout ou partie d'un document qui, selon le cas :

- a) ne révèle aucune cause d'action ni défense fondée;
- b) est susceptible de retarder ou de rendre difficile la tenue d'un procès équitable;
- c) est incendiaire, est présenté dans l'intention de causer des embêtements ou constitue une perte de temps ou un recours abusif au tribunal.

(2) Relativement à une ordonnance radiant ou modifiant un document aux termes du paragraphe (1), le tribunal peut prendre une ou plusieurs des mesures suivantes :

1. Dans le cas d'une demande, ordonner le sursis ou le rejet de l'action.
2. Dans le cas d'une défense, radier la défense et rendre jugement.
3. Imposer des conditions justes.

27. La règle 13 du Règlement est abrogée et remplacée par ce qui suit :

RÈGLE 13 CONFÉRENCES EN VUE D'UNE TRANSACTION

Conférence en vue d'une transaction obligatoire dans une action contestée

13.01 (1) Une conférence en vue d'une transaction doit être tenue dans le cadre de chaque action contestée.

Fonction du greffier

(2) Le greffier fixe l'heure, la date et le lieu de la conférence en vue d'une transaction et signifie aux parties un avis de conférence en vue d'une transaction, accompagné d'une liste des témoins proposés (formule 13A).

Délai

(3) La conférence en vue d'une transaction est tenue dans les 90 jours qui suivent le dépôt de la première défense.

Exception

(4) Les paragraphes (1) à (3) ne s'appliquent pas si la défense contient une reconnaissance de responsabilité à l'égard de la totalité ou d'une partie de la demande du demandeur et une proposition à l'égard des modalités de paiement visées au paragraphe 9.03 (1).

Présence

13.02 (1) Une partie et son avocat ou mandataire, le cas échéant, doivent, sauf ordonnance contraire du tribunal, participer à la conférence en vue d'une transaction :

- a) soit en y étant présents;
- b) soit par conférence téléphonique ou vidéoconférence conformément à la règle 1.07.

Pouvoir de transiger

(2) Avant la conférence en vue d'une transaction, la partie qui doit obtenir l'approbation d'une autre personne avant de consentir à une transaction fait en sorte qu'elle puisse joindre par téléphone cette autre personne en tout temps pendant la conférence, que celle-ci se tienne pendant ou après les heures de bureau.

Autres conférences en vue d'une transaction

(3) Le tribunal peut ordonner aux parties de se présenter à une autre conférence en vue d'une transaction.

(4) Le greffier fixe l'heure, la date et le lieu de toute autre conférence en vue d'une transaction et signifie aux parties un avis de conférence en vue d'une transaction, accompagné d'une liste des témoins proposés (formule 13A).

Défaut de se présenter

(5) Si une partie a reçu un avis de conférence en vue d'une transaction et ne se présente pas à la conférence, le tribunal peut :

- a) d'une part, imposer des sanctions appropriées, sous forme de dépens ou autrement;
- b) d'autre part, ordonner qu'une autre conférence en vue d'une transaction soit tenue au besoin.

(6) Si un défendeur ne s'est pas présenté à la première conférence en vue d'une transaction et qu'il reçoit un avis d'une autre conférence en vue d'une transaction mais ne s'y présente pas, le tribunal peut :

- a) soit radier la défense et rejeter la demande du défendeur, le cas échéant, et permettre au demandeur d'établir le bien-fondé de sa demande;
- b) soit rendre une autre ordonnance juste.

Préparation insuffisante : omission de dépôt

(7) Le tribunal peut condamner à des dépens la personne qui se présente à une conférence en vue d'une transaction si :

- a) d'une part, la personne est, selon lui, tellement peu préparée que les objectifs de la conférence sont contrecarrés;
- b) d'autre part, la personne ne dépose pas les documents exigés par le paragraphe 13.03 (2).

Objectifs de la conférence en vue d'une transaction

13.03 (1) Les objectifs de la conférence en vue d'une transaction sont les suivants :

- a) résoudre ou limiter les questions en litige dans l'action;
- b) accélérer le règlement de l'action;
- c) encourager une transaction sur l'action;
- d) aider les parties à bien se préparer au procès;
- e) prévoir la divulgation complète des éléments de preuve et des faits pertinents par les parties.

Divulgation

(2) Au moins 14 jours avant la date de la conférence en vue d'une transaction, chaque partie signifie aux autres parties et dépose auprès du tribunal ce qui suit :

- a) une copie des documents à l'appui au procès, y compris les rapports d'experts, qui n'étaient pas joints à la demande ou à la défense de la partie;
- b) la liste des témoins proposés (formule 13A) et des autres personnes qui ont connaissance des questions en litige dans l'action.

(3) Lors de la conférence en vue d'une transaction, les parties ou leurs représentants discutent ouvertement et franchement des questions en litige dans l'action.

Restriction quant à la divulgation d'autres questions

(4) Sauf disposition contraire ou avec le consentement des parties (formule 13B), les questions qui font l'objet d'une discussion lors de la conférence en vue d'une transaction ne sont pas divulguées à des tiers tant que l'action n'a pas été décidée.

Recommandations aux parties

13.04 Le tribunal peut faire des recommandations aux parties sur les questions se rapportant au déroulement de l'action afin de réaliser les objectifs de la conférence en vue d'une transaction, y compris des recommandations concernant ce qui suit :

- a) la clarification des questions en litige et les moyens de les simplifier;
- b) l'élimination des demandes ou des défenses qui ne semblent pas fondées;
- c) l'admission de faits ou de documents sans autre preuve.

Ordonnances rendues lors de la conférence en vue d'une transaction

13.05 (1) Le juge qui préside une conférence en vue d'une transaction peut rendre toute ordonnance relative au déroulement de l'action que le tribunal pourrait rendre.

(2) Sans préjudice de la portée générale du paragraphe (1), le juge peut :

- a) d'une part, rendre une ordonnance :
 - (i) joignant ou radiant des parties,
 - (ii) réunissant des actions,
 - (iii) prescrivant le sursis de l'action,
 - (iv) modifiant ou radiant une demande ou une défense en vertu de la règle 12.02,
 - (v) prescrivant le sursis ou le rejet d'une demande,
 - (vi) exigeant la production de documents,
 - (vii) modifiant le lieu d'instruction en vertu de la règle 6.01,
 - (viii) exigeant la tenue d'une autre conférence en vue d'une transaction en vertu du paragraphe 13.02 (3),
 - (ix) adjugeant des dépens;

- b) d'autre part, lors d'une autre conférence en vue d'une transaction, rendre un jugement en vertu du paragraphe 13.02 (6).

Recommandations au juge

(3) Si la conférence en vue d'une transaction est présidée par un arbitre, un juge peut, sur la recommandation de l'arbitre, rendre une ordonnance qui peut être rendue en vertu des paragraphes (1) et (2).

Consentement à un jugement définitif

(4) Un juge peut rendre un jugement définitif lors d'une conférence en vue d'une transaction si la question en litige porte sur une somme qui ne dépasse pas le plafond susceptible d'appel et qu'une partie dépose un consentement (formule 13B) signé par toutes les parties, avant la tenue de la conférence en vue d'une transaction, dans lequel elles indiquent qu'elles désirent qu'une décision définitive soit rendue sur la question lors de cette conférence s'il n'est pas parvenu à une transaction par la médiation.

Signification de l'ordonnance

(5) Dans les 10 jours qui suivent la signature par le juge d'une ordonnance rendue lors d'une conférence en vue d'une transaction, le greffier signifie l'ordonnance aux parties qui n'étaient pas présentes à cette conférence conformément au paragraphe 8.01 (6).

Procès-verbal

13.06 (1) À l'issue de la conférence en vue d'une transaction, le tribunal rédige un procès-verbal dans lequel sont résumés :

- a) les recommandations faites en vertu de la règle 13.04;
- b) les questions en litige non encore réglées;
- c) les questions sur lesquelles les parties se sont entendues;
- d) toutes questions en matière de preuve qui sont jugées pertinentes;
- e) les renseignements relatifs au calendrier des autres étapes de l'instance.

(2) Le procès-verbal est déposé auprès du greffier, qui en donne une copie au juge qui préside le procès.

Avis de procès

13.07 Lors de la conférence en vue d'une transaction ou après celle-ci, le greffier remet aux parties un avis portant qu'une des parties doit demander une date de procès si l'action n'est pas décidée dans les 30 jours qui suivent la conférence en vue d'une transaction et payer les frais nécessaires pour inscrire l'action au rôle.

Deux juges différents

13.08 Le juge qui préside la conférence en vue d'une transaction ne préside pas l'instruction de l'action.

Retrait de la demande

13.09 Après la tenue d'une conférence en vue d'une transaction, une demande présentée contre une partie qui n'est pas en défaut ne doit pas être retirée ni faire l'objet d'un désistement par la partie qui l'a introduite sans, selon le cas :

- a) le consentement écrit de la partie contre laquelle la demande est présentée;
- b) l'autorisation du tribunal.

Dépens

13.10 Les dépens d'une conférence en vue d'une transaction, à l'exclusion des débours, ne doivent pas dépasser 100 \$, sauf ordonnance contraire du tribunal en raison de circonstances particulières.

28. La règle 14 du Règlement est modifiée par adjonction de la règle suivante :

Documents écrits

14.01.1 (1) L'offre de transaction, l'acceptation de l'offre de transaction et l'avis de retrait de l'offre de transaction sont présentés par écrit.

Utilisation des formules

(2) L'offre de transaction peut être rédigée selon la formule 14A, l'acceptation de l'offre de transaction peut être rédigée selon la formule 14B et l'avis de retrait de l'offre de transaction peut être rédigé selon la formule 14C.

Conditions de la transaction

(3) Les conditions d'une offre de transaction acceptée peuvent être énoncées dans les conditions de la transaction (formule 14D).

29. Les règles 14.02 à 14.04 du Règlement sont abrogées et remplacées par ce qui suit :

Quand peut se faire l'offre

14.02 (1) L'offre de transaction peut se faire en tout temps.

Règle relative aux dépens

(2) La règle 14.07 relative aux dépens ne s'applique que si l'offre de transaction est signifiée à la partie à laquelle elle est faite au moins sept jours avant le début du procès.

Retrait

14.03 (1) Une partie peut retirer une offre de transaction, tant que celle-ci n'est pas acceptée, en signifiant un avis de retrait de l'offre de transaction à la partie à laquelle l'offre a été faite.

Offre réputée retirée

(2) L'offre de transaction dans laquelle est précisée une date limite d'acceptation et qui n'a pas été acceptée au plus tard à cette date est réputée avoir été retirée le lendemain de cette date.

Expiration au moment où le tribunal décide la demande

(3) Une offre ne peut être acceptée après que le tribunal a décidé la demande qui en faisait l'objet.

Divulgaration interdite au juge du procès

14.04 Si une offre de transaction n'est pas acceptée, ni l'offre ni les négociations qui s'y rapportent ne doivent être mentionnées au juge du procès tant que toutes les questions relatives à la responsabilité et les mesures de redressement à accorder, à l'exclusion des dépens, n'ont pas été décidées.

30. Le paragraphe 14.05 (1) du Règlement est abrogé et remplacé par ce qui suit :

Acceptation d'une offre de transaction

(1) L'acceptation d'une offre de transaction peut se faire par la signification, avant que l'offre ne soit retirée ou avant que le tribunal ne décide la demande qui en fait l'objet, d'une acceptation de l'offre à la partie qui l'a faite.

31. Le paragraphe 14.07 (3) du Règlement est abrogé et remplacé par ce qui suit :

(3) Si un montant est adjugé en vertu du paragraphe (1) ou (2) à une partie qui s'autoreprésente, le tribunal peut également lui adjuger un montant indemnitaire qui ne dépasse pas 500 \$ au titre du dérangement et des dépenses.

32. Les règles 15 et 16 du Règlement sont abrogées et remplacées par ce qui suit :

RÈGLE 15 MOTIONS

Avis de motion et affidavit

15.01 (1) Une motion est présentée par voie d'avis de motion (formule 15A) et d'un affidavit à l'appui (formule 15B).

(2) L'auteur de la motion obtient une date d'audience du greffier avant de signifier l'avis de motion en application du paragraphe (3).

(3) L'avis de motion et un affidavit à l'appui :

- a) d'une part, sont signifiés, au moins sept jours avant la date de l'audience, à chaque partie qui a déposé une demande et à tout défendeur qui n'a pas été constaté en défaut;
- b) d'autre part, sont déposés, avec la preuve de la signification, au moins trois jours avant la date de l'audience.

Affidavit à l'appui en réponse à l'avis de motion

(4) La partie qui prépare un affidavit (formule 15B) en réponse à l'avis de motion de l'auteur de la motion doit le signifier à toutes les parties qui ont déposé une demande ou une défense et le déposer, avec la preuve de la signification, au moins deux jours avant la date de l'audience.

Affidavit additionnel

(5) L'auteur de la motion peut signifier un affidavit additionnel à chaque partie qui a déposé une demande ou une défense et le déposer, avec la preuve de la signification, au moins deux jours avant la date de l'audience.

Motion présentée après la signature d'un jugement

(6) La motion qui est présentée après la signature du jugement est signifiée à toutes les parties, y compris celles qui ont été constatées en défaut.

Mode d'audition

15.02 (1) Une motion peut être entendue :

- a) soit en personne;
- b) soit par conférence téléphonique ou vidéoconférence conformément à la disposition 2 du paragraphe 1.07 (1);
- c) soit par un juge, par écrit en application de l'alinéa 11.03 (2) a);
- d) soit par tout autre moyen que le juge estime équitable et raisonnable.

(2) La présence des parties n'est pas requise si la motion est présentée par écrit aux termes de l'alinéa (1) c).

Motion présentée sans préavis

15.03 (1) Malgré la règle 15.01, une motion peut être présentée sans préavis si la nature ou les circonstances de la motion rendent le préavis inutile ou impossible à donner dans des conditions raisonnables.

Signification de l'ordonnance

(2) La partie qui obtient une ordonnance par voie de motion présentée sans préavis la signifie, accompagnée d'une copie de l'avis de motion et de l'affidavit à l'appui utilisés dans le cadre de la motion, à toutes les parties sur lesquelles elle a une incidence, au plus tard cinq jours après la signature de l'ordonnance.

Motion en annulation ou en modification de la motion présentée sans préavis

(3) La partie sur laquelle a une incidence une ordonnance obtenue par voie de motion présentée sans préavis peut demander, par voie de motion, l'annulation ou la modification de l'ordonnance au plus tard 30 jours après que celle-ci lui a été signifiée.

Interdiction de présenter d'autres motions sans autorisation

15.04 S'il est convaincu qu'une partie a essayé de retarder l'action, d'en augmenter les frais ou de recourir abusivement au tribunal d'une autre façon en présentant de nombreuses motions sans fondement, le tribunal peut, sur motion, rendre une ordonnance lui interdisant de présenter d'autres motions dans le cadre de l'action sans son autorisation.

Ajournement de motion

15.05 Une motion ne doit pas être ajournée à la demande d'une partie avant la date de l'audience, à moins que le consentement écrit de toutes les parties ne soit déposé lors de la présentation de la demande, sauf ordonnance contraire du tribunal.

Retrait de motion

15.06 Une motion ne doit pas être retirée sans, selon le cas :

- a) le consentement écrit de toutes les parties;
- b) l'autorisation du tribunal.

Dépens

15.07 Les dépens d'une motion, à l'exclusion des débours, ne doivent pas dépasser 100 \$, sauf ordonnance contraire du tribunal en raison de circonstances particulières.

RÈGLE 16 AVIS DE PROCÈS***Date fixée et avis signifié par le greffier***

16.01 (1) Le greffier fixe la date du procès et signifie un avis de procès à chaque partie qui a déposé une demande ou une défense si :

- a) d'une part, une conférence en vue d'une transaction a été tenue;
- b) d'autre part, une partie a demandé que le greffier fixe la date du procès et a payé les droits exigés.

Mode de signification

(2) L'avis de procès est signifié par la poste ou par télécopie.

33. (1) La règle 17.01 du Règlement est modifiée par adjonction du paragraphe suivant :

(2.1) Dans le cas visé à l'alinéa (2) b) ou c), l'auteur de la demande n'est pas tenu d'établir la responsabilité de la partie qui ne s'est pas présentée, mais il est tenu d'établir le montant de la demande.

(2) La règle 17.01 du Règlement est modifiée par adjonction du paragraphe suivant :

Conditions du prononcé d'une ordonnance en vertu du par. (4)

(5) Le tribunal ne peut rendre une ordonnance en vertu du paragraphe (4) que si, selon le cas :

- a) la partie qui ne s'est pas présentée présente une motion en vue d'obtenir l'ordonnance dans les 30 jours après avoir pris connaissance du jugement;
- b) la partie qui ne s'est pas présentée présente une motion en prorogation du délai de 30 jours visé à l'alinéa a) et le tribunal est convaincu que des circonstances particulières justifient la prorogation.

34. La règle 17.02 du Règlement est modifiée par adjonction du paragraphe suivant :

(2) Si l'instruction de l'action a été ajournée au moins deux fois, tout autre ajournement ne peut être accordé que sur présentation d'une motion avec préavis à toutes les parties à qui l'avis de procès a été signifié, sauf ordonnance contraire du tribunal.

35. La règle 17.04 du Règlement est abrogée et remplacée par ce qui suit :

Motion en vue d'obtenir un nouveau procès

17.04 (1) Une partie peut, par voie de motion présentée dans les 30 jours qui suivent le prononcé d'une ordonnance définitive, demander la tenue d'un nouveau procès.

Transcription

(2) L'auteur de la motion signifie et dépose la preuve qu'une transcription des témoignages, ou que la partie de celle-ci qui est pertinente, a été demandée en plus de l'avis de motion (formule 15A) et de l'affidavit (formule 15B) exigés aux termes de la règle 15.01.

Signification et dépôt de la transcription des témoignages

(3) Au moins trois jours avant la date de l'audience, une copie de la transcription ou transcription partielle des témoignages, si elle est disponible :

- a) d'une part, est signifiée à toutes les parties à qui l'avis de procès initial a été signifié;
- b) d'autre part, est déposée, avec la preuve de la signification.

Pouvoirs du tribunal lors de l'audition de la motion

(4) Lors de l'audition de la motion, le tribunal peut :

- a) si la partie prouve qu'il a été satisfait à une des conditions prévues au paragraphe (5) :
 - (i) soit accorder un nouveau procès,
 - (ii) soit prononcer le jugement qui aurait dû être rendu au procès et le consigner;
- b) rejeter la motion.

Conditions

(5) Les conditions visées à l'alinéa (4) a) sont les suivantes :

- 1. Une simple erreur d'arithmétique a été faite dans le calcul du montant des dommages-intérêts adjugés.
- 2. Il existe des éléments de preuve pertinents qui n'étaient pas à la disposition de la partie lors du procès initial et qui n'auraient pu l'être à cette époque, selon toutes attentes raisonnables.

36. (1) Le paragraphe 18.02 (1) du Règlement est abrogé et remplacé par ce qui suit :

Déclarations écrites, documents et enregistrements

(1) Sauf ordonnance contraire du juge du procès, un document ou une déclaration écrite ou un enregistrement sonore ou visuel est reçu en preuve s'il a été signifié, au moins 30 jours avant la date du procès, à toutes les parties à qui l'avis de procès a été signifié.

(2) La disposition 2 du paragraphe 18.02 (2) du Règlement est modifiée par substitution de «un registre financier, un reçu, une facture» à «un document à caractère financier, une facture».

(3) Le paragraphe 18.02 (3) du Règlement est abrogé et remplacé par ce qui suit :

Renseignements concernant le témoin ou l'auteur

(3) La partie qui signifie à une autre partie une déclaration écrite ou un document décrit au paragraphe (2) y annexe ou inclut ce qui suit :

- a) le nom, le numéro de téléphone et l'adresse aux fins de signification du témoin ou de l'auteur;
- b) si le témoin ou l'auteur doit témoigner à titre d'expert, un résumé de ses compétences.

(4) Le paragraphe 18.02 (5) du Règlement est abrogé et remplacé par ce qui suit :

Cas où le témoin ou l'auteur est assigné

(5) La partie qui signifie une assignation de témoin à un témoin ou à un auteur visé au paragraphe (3) en signifie une copie à toutes les autres parties au moment de la signification de l'assignation.

(6) La signification de l'assignation et le versement ou l'offre de l'indemnité de présence visés à la présente règle peuvent être établis au moyen d'un affidavit (formule 8A).

Ajournement

(7) La partie à qui une copie de l'assignation n'est pas signifiée, contrairement à ce que prévoit le paragraphe (5), peut demander l'ajournement du procès, avec dépens.

37. (1) Les paragraphes 18.03 (3) et (4) du Règlement sont abrogés et remplacés par ce qui suit :

(3) L'assignation de témoin (formule 18A) est signifiée conformément au paragraphe 8.01 (7).

(4) La signification de l'assignation et le versement ou l'offre de l'indemnité de présence peuvent être établis au moyen d'un affidavit (formule 8A).

(2) La règle 18.03 du Règlement est modifiée par adjonction des paragraphes suivants :

Interprète

(5.1) Si une partie signifie une assignation à un témoin qui a besoin d'un interprète, elle prend les dispositions nécessaires pour qu'un interprète qualifié soit présent au procès, sauf si la traduction se fait de l'anglais au français ou du français à l'anglais, auquel cas les services de l'interprète sont fournis par le ministère du Procureur général.

(5.2) Si une partie ne se conforme pas au paragraphe (5.1), chacune des autres parties a le droit de demander l'ajournement du procès, avec dépens.

(3) La règle 18.03 du Règlement est modifiée par adjonction du paragraphe suivant :

Formule de renseignements signalétiques

(6.1) La partie qui a signifié l'assignation au témoin peut déposer auprès du greffier une formule de renseignements signalétiques (formule 20K) en vue d'aider la police à arrêter le témoin.

38. (1) Le paragraphe 19.01 (1) du Règlement est abrogé et remplacé par ce qui suit :

Débours

(1) Sauf ordonnance contraire du tribunal, la partie qui obtient gain de cause a droit à ce que ses débours raisonnables, y compris les frais de signification et les frais de déplacement, d'hébergement, de photocopie et de rapports d'expert, soient payés par la partie qui succombe.

(2) Le paragraphe 19.01 (3) du Règlement est modifié par adjonction de «, sauf si le tribunal est d'avis que des circonstances particulières justifient la liquidation d'un montant plus élevé» à la fin du paragraphe.

39. Les règles 19.02 à 19.05 du Règlement sont abrogées et remplacées par ce qui suit :

Plafond

19.02 Tout pouvoir d'adjudger des dépens prévu par la présente règle est assujéti à l'article 29 de la *Loi sur les tribunaux judiciaires*, lequel limite le montant des dépens qui peut être adjudgé.

Préparation et dépôt

19.03 Le tribunal peut adjuger à la partie qui obtient gain de cause un montant ne dépassant pas 50 \$ pour la préparation et le dépôt des actes de procédure.

Frais de représentation

19.04 (1) Si le montant demandé dans une action dépasse 500 \$, sans compter les intérêts et les dépens, et que la partie qui obtient gain de cause est représentée par un avocat, un étudiant en droit ou un mandataire, le tribunal peut adjuger à la partie des frais de représentation raisonnables au procès ou à l'audience d'évaluation.

(2) Dans le cas d'un étudiant en droit ou d'un mandataire, les frais de représentation ne doivent pas dépasser la moitié des dépens maximaux qui peuvent être adjugés aux termes de l'article 29 de la *Loi sur les tribunaux judiciaires*.

Indemnité au titre du dérangement et des dépenses

19.05 Le tribunal peut ordonner à la partie qui succombe de verser à celle qui a obtenu gain de cause un montant indemnitaire qui ne dépasse pas 500 \$ au titre du dérangement et des dépenses, si les conditions suivantes sont réunies :

- a) la partie qui obtient gain de cause s'est autoreprésentée;
- b) le montant demandé dans l'action dépasse 500 \$, sans compter les intérêts et les dépens.

Peine

19.06 S'il est convaincu qu'une partie a indûment compliqué ou prolongé une action ou qu'elle a agi d'une autre façon déraisonnable, le tribunal peut lui ordonner de verser une indemnité à une autre partie.

40. La règle 20.01 du Règlement est modifiée par substitution de «Les définitions qui suivent s'appliquent aux règles 20.02 à 20.12.» à «Les définitions qui suivent s'appliquent aux règles 20.02 à 20.10.» dans le passage qui précède les définitions.

41. Le paragraphe 20.02 (3) du Règlement est abrogé et remplacé par ce qui suit :

Signification de l'avis de défaut de paiement

(3) Le créancier peut signifier au débiteur un avis de défaut de paiement (formule 20L) conformément au paragraphe 8.01 (14) et en déposer une copie, accompagnée d'un affidavit de défaut de paiement (formule 20M), si le débiteur n'effectue pas les paiements exigés aux termes d'une ordonnance prescrivant des versements périodiques.

Fin de l'ordonnance en cas de défaut

(4) L'ordonnance prescrivant des versements périodiques prend fin le 15^e jour qui suit la signification par le créancier au débiteur de l'avis de défaut de paiement, sauf si un consentement (formule 13B) dans lequel le créancier renonce à la constatation du défaut est déposé dans le délai de 15 jours.

42. Le paragraphe 20.05 (3) du Règlement est modifié par insertion de «Sauf ordonnance contraire du tribunal, » au début du paragraphe.

43. (1) Le paragraphe 20.06 (1) du Règlement est modifié par insertion de «relatif à une demande d'exécution forcée (formule 20P)» après «affidavit».

(2) La règle 20.06 du Règlement est modifiée par adjonction du paragraphe suivant :

(1.1) Si plus de six ans se sont écoulés depuis que l'ordonnance a été rendue, un bref de saisie-exécution de biens meubles ne peut être délivré aux termes du paragraphe (1) qu'avec l'autorisation du tribunal.

(3) Les paragraphes 20.06 (2) et (3) du Règlement sont abrogés et remplacés par ce qui suit :

Durée du bref

(2) Le bref de saisie-exécution de biens meubles reste en vigueur pendant six ans après la date de sa délivrance et après chaque renouvellement.

Renouvellement du bref

(3) Le bref de saisie-exécution de biens meubles peut être renouvelé avant son expiration en déposant une demande de renouvellement du bref de saisie-exécution (formule 20N) auprès du greffier.

(4) Le paragraphe 20.06 (6) du Règlement est abrogé et remplacé par ce qui suit :

Vente de biens meubles

(6) L'huissier ne vend pas les biens meubles saisis aux termes d'un bref de saisie-exécution de biens meubles à moins qu'un avis indiquant la date, l'heure et le lieu de la vente n'ait été :

- a) d'une part, envoyé par la poste, au moins 30 jours avant la vente, aux personnes suivantes :
 - (i) le créancier à l'adresse indiquée sur le bref ou son avocat ou mandataire,
 - (ii) le débiteur, à sa dernière adresse connue;
- b) d'autre part, annoncé d'une façon qui attirera vraisemblablement l'attention du public.

44. (1) Le paragraphe 20.07 (1) du Règlement est modifié par insertion de «pour un bref de saisie-exécution de biens-fonds (formule 20O)» après «affidavit».

(2) La règle 20.07 du Règlement est modifiée par adjonction des paragraphes suivants :

Durée du bref

(3) Le bref de saisie-exécution de biens-fonds reste en vigueur pendant six ans après la date de sa délivrance et après chaque renouvellement.

Renouvellement du bref

(4) Le bref de saisie-exécution de biens-fonds peut être renouvelé avant son expiration en déposant une demande de renouvellement du bref de saisie-exécution (formule 20N) auprès du greffier.

45. (1) Les paragraphes 20.08 (3) et (4) du Règlement sont abrogés et remplacés par ce qui suit :

Obtention d'un avis de saisie-arrêt

(3) Le créancier qui cherche à exécuter une ordonnance au moyen d'une saisie-arrêt dépose les documents suivants auprès du greffier de la division territoriale où le débiteur réside ou exploite une entreprise :

- a) un affidavit relatif à une demande d'exécution forcée (formule 20P) désignant un seul débiteur et un seul tiers saisi et énonçant ce qui suit :
 - (i) la date de l'ordonnance et le montant adjugé,
 - (ii) la division territoriale où l'ordonnance a été rendue,
 - (iii) le taux exigible des intérêts postérieurs au jugement,
 - (iv) le montant total des paiements reçus depuis que l'ordonnance a été accordée,
 - (v) le montant qui reste dû, y compris les intérêts postérieurs au jugement,
 - (vi) le nom et l'adresse du tiers saisi désigné auquel l'avis de saisie-arrêt doit être adressé,
 - (vii) le fait que le créancier croit que le tiers saisi désigné est ou sera redevable d'une dette au débiteur, ainsi que ses raisons de le croire,
 - (viii) des précisions sur les créances que le créancier connaît;
- b) un certificat de jugement (formule 20A), si l'ordonnance a été rendue dans une autre division territoriale.

(4) Après le dépôt des documents exigés en application du paragraphe (3), le greffier délivre un avis de saisie-arrêt (formule 20E) qui désigne à titre de tiers saisi la personne désignée dans l'affidavit.

(2) Le paragraphe 20.08 (6) du Règlement est abrogé et remplacé par ce qui suit :

Signification de l'avis de saisie-arrêt

(6) L'avis de saisie-arrêt (formule 20E) est signifié par le créancier conformément au paragraphe 8.01 (8).

(6.1) Le créancier signifie l'avis de saisie-arrêt au débiteur dans les cinq jours qui suivent sa signification au tiers saisi.

Institution financière

(6.2) Si le tiers saisi est une institution financière, l'avis de saisie-arrêt et tous les autres avis qui doivent être signifiés en application de la présente règle sont signifiés à la succursale où la créance est exigible.

Preuve de la signification

(6.3) La signification de l'avis de saisie-arrêt peut être établie par affidavit.

(3) L'alinéa 20.08 (8) b) du Règlement est modifié par substitution de «six ans» à «24 mois».

(4) Le paragraphe 20.08 (9) du Règlement est abrogé et remplacé par ce qui suit :

Païement par le tiers saisi

(9) Le tiers saisi qui reconnaît être redevable d'une dette au débiteur la paie au greffier de la façon prévue dans l'avis de saisie-arrêt, et les sommes consignées au tribunal ne doivent pas dépasser la partie du salaire du débiteur saisissable aux termes de l'article 7 de la *Loi sur les salaires*.

(5) La version anglaise de l'alinéa 20.08 (12) b) du Règlement est modifiée par insertion de «of the debt» après «co-owners».

(6) Le paragraphe 20.08 (13) du Règlement est abrogé et remplacé par ce qui suit :

Signification au créancier et au débiteur

(13) Le tiers saisi signifie une copie de la déclaration du tiers saisi au créancier et au débiteur.

(7) Le paragraphe 20.08 (14) du Règlement est modifié par substitution de «à tout cotitulaire de la créance, conformément au paragraphe 8.01 (14)» à «aux cotitulaires de la créance, conformément à la règle 8.01 (10)».

(8) Le paragraphe 20.08 (15) du Règlement est abrogé et remplacé par ce qui suit :

Audience sur la saisie-arrêt

(15) À la demande d'un créancier, d'un débiteur, d'un tiers saisi, d'un cotitulaire de la créance ou d'un autre intéressé, le greffier fixe l'heure et le lieu de l'audience sur la saisie-arrêt.

Signification de l'avis d'audience sur la saisie-arrêt

(15.1) Après avoir obtenu une date d'audience du greffier, la partie qui demande la tenue de l'audience sur la saisie-arrêt signifie l'avis d'audience sur la saisie-arrêt (formule 20Q) conformément au paragraphe 8.01 (9).

Pouvoirs du tribunal lors de l'audience

(15.2) Lors de l'audience sur la saisie-arrêt, le tribunal peut :

- a) s'il est allégué que la dette du tiers saisi envers le débiteur a été cédée ou grevée d'une sûreté, ordonner au cessionnaire ou au titulaire de la sûreté de comparaître pour exposer la nature et les précisions de sa demande;
- b) déterminer les droits et les responsabilités du tiers saisi, de tout cotitulaire de la créance, du débiteur et du cessionnaire ou du titulaire de la sûreté;
- c) modifier ou suspendre les versements périodiques effectués en exécution de l'avis de saisie-arrêt;
- d) décider les autres questions relatives à l'avis de saisie-arrêt.

(9) Le paragraphe 20.08 (20) du Règlement est abrogé et remplacé par ce qui suit :

Versement des paiements

(20) Lorsqu'une preuve de la signification de l'avis de saisie-arrêt au débiteur est déposée, le greffier verse à un créancier, conformément au paragraphe (20.1), un paiement reçu aux termes de l'avis de saisie-arrêt, sauf si, selon le cas :

- a) une audience a été demandée en application du paragraphe (15);
- b) un avis de motion a été déposé aux termes de la règle 8.10 ou 11.06, de la sous-disposition 1 iii du paragraphe 11.2.01 (1) ou de la règle 17.04.

(20.1) Le greffier verse le paiement :

- a) dans le cas du premier paiement visé par l'avis de saisie-arrêt, dans les 30 jours qui suivent la date de sa réception;
- b) dans le cas de tous paiements subséquents visés par l'avis de saisie-arrêt, au fur et à mesure qu'ils sont reçus.

46. (1) Le paragraphe 20.09 (5) du Règlement est abrogé et remplacé par ce qui suit :

(5) Le total des sommes que le débiteur doit consigner au tribunal aux termes d'une ordonnance de consolidation ne doit pas dépasser la partie de son salaire saisissable aux termes de l'article 7 de la *Loi sur les salaires*.

(2) Les paragraphes 20.09 (11.2) et (11.3) du Règlement sont abrogés.

47. (1) L'alinéa 20.10 (2) a) du Règlement est modifié par insertion de «(formule 20P)» après «affidavit» dans le passage qui précède le sous-alinéa (i).

(2) Le paragraphe 20.10 (3) du Règlement est abrogé et remplacé par ce qui suit :

Signification de l'avis d'interrogatoire

(3) L'avis d'interrogatoire est signifié conformément aux paragraphes 8.01 (10), (11) et (12).

(3) La règle 20.10 du Règlement est modifiée par adjonction du paragraphe suivant :

Obligations de la personne devant être interrogée

(4.1) La personne à qui un avis d'interrogatoire est signifié :

- a) d'une part, se renseigne sur les questions mentionnées au paragraphe (4) et se prépare à répondre aux questions posées à leur sujet;
- b) d'autre part, dans le cas de l'interrogatoire d'un débiteur qui est un particulier, remplit une formule de renseignements financiers (formule 201) et la signifie au créancier qui demande l'interrogatoire, mais ne doit pas la déposer auprès du tribunal.

(4) Le paragraphe 20.10 (6) du Règlement est abrogé et remplacé par ce qui suit :

Interrogatoires à huis clos, sous serment et consignés

(6) L'interrogatoire est :

- a) tenu à huis clos, sauf ordonnance contraire du tribunal;
- b) fait sous serment;
- c) consigné.

(5) Les paragraphes 20.10 (9), (10), (10.1), (11), (12), (13), (14) et (15) du Règlement sont abrogés.

48. La règle 20 du Règlement est modifiée par adjonction des règles suivantes :

Audience pour outrage

20.11 (1) Le tribunal peut ordonner à la personne à qui un avis d'interrogatoire a été signifié en application de la règle 20.10 de se présenter devant le tribunal à une audience pour outrage, si elle se présente à l'interrogatoire mais refuse de répondre aux questions ou de produire des documents ou des dossiers.

Idem

(2) Le tribunal peut ordonner à la personne à qui un avis d'interrogatoire a été signifié en application de la règle 20.10 de se présenter devant un juge de la Cour supérieure de justice à une audience pour outrage, si elle ne se présente pas à l'interrogatoire.

Avis d'audience pour outrage

(3) Si une ordonnance prescrivant la tenue d'une audience pour outrage est rendue en vertu du paragraphe (1) ou (2) :

- a) d'une part, le greffier remet au créancier un avis d'audience pour outrage indiquant l'heure, la date et le lieu de l'audience;
- b) d'autre part, le créancier signifie l'avis d'audience pour outrage au débiteur ou à une autre personne conformément au paragraphe 8.01 (13) et dépose l'affidavit de signification au moins sept jours avant l'audience.

Annulation de l'ordonnance prescrivant la tenue d'une audience pour outrage

(4) La personne à qui il est ordonné de se présenter à une audience pour outrage en vertu du paragraphe (2) peut présenter une motion en annulation de l'ordonnance, avant ou après avoir reçu l'avis d'audience pour outrage mais avant la date de l'audience et, sur motion, le tribunal peut annuler l'ordonnance et ordonner à la personne de se présenter à un autre interrogatoire aux termes de la règle 20.10.

Conclusion de culpabilité pour outrage

(5) Lors d'une audience pour outrage tenue en vertu du paragraphe (1), le tribunal peut reconnaître coupable d'outrage au tribunal la personne si elle ne donne pas de motifs valables pour lesquels elle ne devrait pas être reconnue coupable d'outrage pour avoir refusé de répondre aux questions ou de produire des documents ou des dossiers.

Idem

(6) Lors d'une audience pour outrage tenue en vertu du paragraphe (2), un juge de la Cour supérieure de justice peut reconnaître la personne coupable d'outrage au tribunal s'il est convaincu qu'elle ne s'est pas présentée, contrairement à ce qu'exigeait l'avis d'interrogatoire, et que son défaut de comparution était délibéré.

Autres pouvoirs du tribunal à l'audience pour outrage

(7) Lors d'une audience pour outrage tenue en vertu du paragraphe (1) ou (2), le tribunal peut ordonner que la personne, selon le cas :

- a) se présente à un interrogatoire visé à la règle 20.10;
- b) soit incarcérée pour une période maximale de 40 jours;
- c) se présente à une autre audience pour outrage;
- d) se conforme à toute autre ordonnance que le juge estime nécessaire ou juste.

Mandat de dépôt

(8) Si un mandat de dépôt est ordonné en vertu de l'alinéa (7) b) :

- a) d'une part, le créancier peut remplir et déposer auprès du greffier une formule de renseignements signalétiques (formule 20K) en vue d'aider la police à arrêter la personne nommée dans le mandat de dépôt;
- b) d'autre part, le greffier délivre un mandat de dépôt (formule 20J), accompagné de la formule de renseignements signalétiques, le cas échéant, adressé à tous les agents de police de l'Ontario pour faire arrêter, où que ce soit en Ontario, la personne nommée dans le mandat et l'amener promptement à l'établissement correctionnel le plus proche.

Libération

(9) La personne est libérée sur ordonnance du tribunal ou à l'expiration du délai prévu dans le mandat, si celle-ci se produit avant.

Durée et renouvellement du mandat de dépôt

(10) Le mandat reste en vigueur pendant 12 mois après la date à laquelle il a été délivré. Il est renouvelable par ordonnance du tribunal rendue sur motion du créancier, chaque renouvellement valant pour une durée de 12 mois, sauf ordonnance contraire du tribunal.

Ordonnances visées aux par. (9) et (10)

(11) Un mandat de dépôt délivré conformément à une ordonnance d'un juge de la Cour supérieure de justice en vertu de la présente règle ne peut être annulé ou renouvelé que par un juge de ce tribunal.

Exécution de l'ordonnance

20.12 Si un paiement intégral est effectué en exécution de l'ordonnance :

- a) soit, dans le cas où toutes les parties y consentent, une partie peut déposer une demande d'ordonnance du greffier (formule 11.2A) dans laquelle il est indiqué qu'un paiement intégral a été effectué en exécution de l'ordonnance ou des conditions de la transaction;
- b) soit le débiteur peut présenter une motion en vue d'obtenir une ordonnance confirmant qu'un paiement intégral a été effectué en exécution de l'ordonnance ou des conditions de la transaction.

49. La règle 21 du Règlement est abrogée et remplacée par ce qui suit :

RÈGLE 21 ARBITRE

21.01 (1) Si le juge principal régional ou la personne qu'il désigne le lui ordonne, l'arbitre désigné en application du paragraphe 77 (2) de la *Loi sur les tribunaux judiciaires* peut :

- a) entendre des contestations de propositions à l'égard des modalités de paiement visées à la règle 9.03;
- b) présider des conférences en vue d'une transaction prévues à la règle 13;
- c) entendre des motions visant à obtenir des ordonnances de consolidation prévues à la règle 20.09;
- d) évaluer les débours acquittés, occasionnés par les droits payés au tribunal et les honoraires versés à un sténographe judiciaire ou à un shérif en vertu des règlements pris en application de la *Loi sur l'administration de la justice*.

(2) Sauf dans le cas visé au paragraphe 9.03 (5) (ordonnance relative aux modalités de paiement), l'arbitre ne rend pas de décision définitive sur toute question qui lui est soumise, mais communique ses conclusions et recommandations au tribunal.

50. La liste des formules du Règlement est abrogée et remplacée par ce qui suit :

TABLEAU DES FORMULES

(Voir la règle 1.06 et le site www.ontariocourtforms.on.ca)

| Numéro de la formule | Titre de la formule | Date de la formule |
|----------------------|--|--------------------|
| 1A | Parties additionnelles | 25 janvier 2006 |
| 1B | Demande de conférence téléphonique ou de vidéoconférence | 25 janvier 2006 |
| 4A | Consentement pour agir en qualité de tuteur à l'instance | 25 janvier 2006 |
| 5A | Avis au prétendu associé | 25 janvier 2006 |
| 7A | Demande du demandeur | 25 janvier 2006 |
| 8A | Affidavit de signification | 25 janvier 2006 |

| Numéro de la formule | Titre de la formule | Date de la formule |
|----------------------|---|--------------------|
| 9A | Défense | 25 janvier 2006 |
| 9B | Demande au greffier | 25 janvier 2006 |
| 10A | Demande du défendeur | 25 janvier 2006 |
| 11A | Affidavit établissant la compétence | 25 janvier 2006 |
| 11B | Jugement par défaut | 25 janvier 2006 |
| 11.2A | Demande d'ordonnance du greffier | 25 janvier 2006 |
| 11.2B | Consentement pour obtenir une ordonnance du greffier | 25 janvier 2006 |
| 13A | Liste des témoins proposés | 25 janvier 2006 |
| 13B | Consentement | 25 janvier 2006 |
| 14A | Offre de transaction | 25 janvier 2006 |
| 14B | Acceptation de l'offre de transaction | 25 janvier 2006 |
| 14C | Avis de retrait de l'offre de transaction | 25 janvier 2006 |
| 14D | Conditions de la transaction | 25 janvier 2006 |
| 15A | Avis de motion | 25 janvier 2006 |
| 15B | Affidavit | 25 janvier 2006 |
| 18A | Assignment de témoin | 25 janvier 2006 |
| 18B | Mandat d'arrêt du témoin défaillant | 25 janvier 2006 |
| 20A | Certificat de jugement | 25 janvier 2006 |
| 20B | Bref de délaissement | 25 janvier 2006 |
| 20C | Bref de saisie-exécution de biens meubles | 25 janvier 2006 |
| 20D | Bref de saisie-exécution de biens-fonds | 25 janvier 2006 |
| 20E | Avis de saisie-arrêt | 25 janvier 2006 |
| 20F | Déclaration du tiers saisi | 25 janvier 2006 |
| 20G | Avis au cotitulaire d'une créance | 25 janvier 2006 |
| 20H | Avis d'interrogatoire | 25 janvier 2006 |
| 20I | Formule de renseignements financiers | 25 janvier 2006 |
| 20J | Mandat de dépôt | 25 janvier 2006 |
| 20K | Formule de renseignements signalétiques | 25 janvier 2006 |
| 20L | Avis de défaut de paiement | 25 janvier 2006 |
| 20M | Affidavit de défaut de paiement | 25 janvier 2006 |
| 20N | Demande de renouvellement du bref de saisie-exécution | 25 janvier 2006 |
| 20O | Affidavit pour un bref de saisie-exécution de biens-fonds | 25 janvier 2006 |
| 20P | Affidavit relatif à une demande d'exécution forcée | 25 janvier 2006 |
| 20Q | Avis d'audience sur la saisie-arrêt | 25 janvier 2006 |

51. Les formules 1A à 20J du Règlement sont abrogées.

52. Le présent règlement entre en vigueur le 1^{er} juillet 2006.

12/06

NOTE: The Table of Regulations – Legislative History Overview and other tables related to regulations can be found at the e-Laws website (www.e-Laws.gov.on.ca) under Tables. Consolidated regulations may also be found at that site by clicking on Statutes and associated Regulations under Consolidated Law.

REMARQUE : On trouve le Sommaire de l'historique législatif des règlements et d'autres tables liées aux règlements sur le site Web Lois-en-ligne (www.lois-en-ligne.gouv.on.ca) en cliquant sur «Tables». On y trouve également les règlements codifiés en cliquant sur le lien Lois et règlements d'application sous la rubrique «Textes législatifs codifiés».

P U B L I C A T I O N S

**Publications under the Regulations Act
Publications en vertu de la Loi sur les règlements**

2006—04—08

ONTARIO REGULATION 79/06
made under the
DRUG INTERCHANGEABILITY AND DISPENSING FEE ACT

Made: March 20, 2006
Filed: March 21, 2006
Published on e-Laws: March 22, 2006
Printed in *The Ontario Gazette*: April 8, 2006

Amending Reg. 935 of R.R.O. 1990
(General)

Note: Regulation 935 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Section 3 of Regulation 935 of the Revised Regulations of Ontario, 1990 is amended by adding the following paragraph:

6. Amendments dated April 4, 2006.

2. This Regulation comes into force on the later of,

(a) April 4, 2006; and

(b) the day that is 10 days after the day it is filed, where the following are not included in calculating the 10 days:

(i) the day of filing, and

(ii) Saturdays and Sundays and other holidays within the meaning of the *Interpretation Act*.

Made by:

GEORGE SMITHERMAN
Minister of Health and Long-Term Care

Date made: March 20, 2006.

14/06

ONTARIO REGULATION 80/06

made under the

ONTARIO DRUG BENEFIT ACT

Made: March 20, 2006

Filed: March 21, 2006

Published on e-Laws: March 22, 2006

Printed in *The Ontario Gazette*: April 8, 2006

Amending O. Reg. 201/96

(General)

Note: Ontario Regulation 201/96 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Section 7.2 of Ontario Regulation 201/96 is amended by adding the following paragraph:

6. Amendments dated April 4, 2006.

2. This Regulation comes into force on the later of,

(a) April 4, 2006; and

(b) the day that is 10 days after the day it is filed, where the following are not included in calculating the 10 days:

(i) the day of filing, and

(ii) Saturdays and Sundays and other holidays within the meaning of the *Interpretation Act*.

Made by:

GEORGE SMITHERMAN
Minister of Health and Long-Term Care

Date made: March 20, 2006.

14/06

ONTARIO REGULATION 81/06

made under the

PROFESSIONAL ENGINEERS ACT

Made: December 2, 2005

Approved: February 3, 2006

Filed: March 23, 2006

Published on e-Laws: March 24, 2006

Printed in *The Ontario Gazette*: April 8, 2006

Amending Reg. 941 of R.R.O. 1990

(General)

Note: Regulation 941 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Paragraph 1 of section 47 of Regulation 941 of the Revised Regulations of Ontario, 1990 is amended by striking out “subclause 33 (1) (a) (i)” and substituting “subparagraph 1 i of subsection 33 (1)”.

2. Subsection 52 (1.1) of the Regulation is amended by striking out "the day subsections 11 (1) to (65) of Schedule B to the *Government Efficiency Act, 2001* come into force" and substituting "February 28, 2003".

3. (1) Section 78 of the Regulation is amended by striking out "*Building Code Act*" in the portion before paragraph 1 and substituting "*Building Code Act, 1992*".

(2) Paragraph 4 of section 78 of the Regulation is amended by striking out "chief official as defined in the *Building Code Act*" at the end and substituting "chief building official as defined in the *Building Code Act, 1992*".

4. (1) Subsection 80 (1) of the Regulation is amended by striking out "\$175" at the end and substituting "\$230".

(2) Subsection 80 (2) of the Regulation is amended by striking out "\$175" at the end and substituting "\$230".

5. Section 81 of the Regulation is amended by striking out "\$50" and substituting "\$70".

6. (1) Subsection 82 (1) of the Regulation is amended by striking out "\$450" and substituting "\$590".

(2) Subsection 82 (2) of the Regulation is amended by striking out "\$450" and substituting "\$590".

7. Section 82.1 of the Regulation is amended by striking out "\$175" at the end and substituting "\$230".

8. (1) Subsection 83 (1) of the Regulation is amended by striking out "\$175" at the end and substituting "\$230".

(2) Subsection 83 (2) of the Regulation is amended by striking out "\$175" at the end and substituting "\$230".

(3) Subsection 83 (3) of the Regulation is amended by striking out "\$120" at the end and substituting "\$160".

9. (1) Subsection 84 (1) of the Regulation is amended by striking out "\$250" at the end and substituting "\$330".

(2) Subsection 84 (2) of the Regulation is amended by striking out "\$250" at the end and substituting "\$330".

(3) Subsection 84 (3) of the Regulation is amended by striking out "\$35" at the end and substituting "\$50".

10. (1) Paragraph 1 of subsection 85 (1) of the Regulation is amended by striking out "\$400" at the end and substituting "\$520".

(2) Paragraph 2 of subsection 85 (1) of the Regulation is amended by striking out "\$115" at the end and substituting "\$150".

(3) Paragraph 3 of subsection 85 (1) of the Regulation is amended by striking out "\$225" at the end and substituting "\$300".

(4) Paragraph 4 of subsection 85 (1) of the Regulation is amended by striking out "\$100" at the end and substituting "\$130".

11. (1) Subsection 86 (1) of the Regulation is amended by striking out "\$150" at the end and substituting "\$200".

(2) Subsection 86 (2) of the Regulation is amended by striking out "\$150" and substituting "\$200".

(3) Subsection 86 (3) of the Regulation is amended by striking out "\$150" at the end and substituting "\$200".

(4) Subsection 86 (4) of the Regulation is amended by striking out "\$100" at the end and substituting "\$130".

(5) Subsection 86 (5) of the Regulation is amended by striking out "\$25" at the end and substituting "\$40".

12. Section 88 of the Regulation is revoked.

Made by:

COUNCIL OF THE ASSOCIATION OF PROFESSIONAL ENGINEERS OF ONTARIO:

ROBERT A. GOODINGS
President

KIM ALLEN
CEO/Registrar

Date made: December 2, 2005.

ONTARIO REGULATION 82/06

made under the

ELECTION ACT

Made: February 3, 2006

Filed: March 24, 2006

Published on e-Laws: March 28, 2006

Printed in *The Ontario Gazette*: April 8, 2006

CITIZENS' ASSEMBLY ON ELECTORAL REFORM

Definition

1. In this Regulation,

“assembly” means the Citizens’ Assembly on Electoral Reform assembled in accordance with this Regulation.

Duty of Minister

2. The Minister shall assemble a representative body of electors, to be known as the Citizens’ Assembly on Electoral Reform, in accordance with subsection 17.8 (1) of the Act and with this Regulation.

Terms of reference

3. (1) The assembly,

(a) shall assess Ontario’s current electoral system and different electoral systems; and

(b) shall recommend whether Ontario should retain its current electoral system or adopt a different one.

(2) Without restricting the generality of clause (1) (a), in assessing electoral systems the assembly shall consider the principles and characteristics listed in Table 1.

(3) Subsection (2) does not prevent the assembly from considering any other principle or characteristic it considers relevant.

(4) Any different electoral system whose adoption the assembly recommends,

(a) shall be described clearly and in detail; and

(b) shall be consistent with the Constitution of Canada.

(5) The assembly shall consult with a broad cross-section of Ontarians.

(6) Without restricting the generality of subsection (5), the assembly may consult with,

(a) members of the former Select Committee on Electoral Reform, which delivered its report on November 29, 2005; and

(b) three members of the Ontario Association of Former Parliamentarians, each of whom is nominated by that association to represent one of the three recognized political parties in the Legislative Assembly.

(7) The assembly shall give members of the public the opportunity to make written and oral submissions.

(8) The assembly shall complete its work and submit a report in English and French containing its recommendations to the Minister on or before May 15, 2007.

Members and alternates

4. (1) The assembly shall consist of 104 members, as follows:

1. A chair appointed by the Lieutenant Governor in Council.

2. One member from each of Ontario’s 103 electoral districts.

(2) 52 of the members described in paragraph 2 of subsection (1) shall be female and 51 shall be male.

(3) One member shall be a person who identifies himself or herself as an Aboriginal person, that is, a person who is a North American Indian, Metis or Inuit.

(4) For each electoral district, there shall be a first alternate and a second alternate, of the same sex as the member from that electoral district.

- (5) A person may not be a member or alternate,
 - (a) if he or she is,
 - (i) a member of the Legislative Assembly of Ontario or the Senate or House of Commons of Canada,
 - (ii) an elected member of a municipal government, including a board under the *Education Act*,
 - (iii) an officer of a party, constituency association or electoral district association that is registered under the *Election Finances Act* or the *Canada Elections Act*, or
 - (iv) a candidate of a party that is registered under the *Election Finances Act* or the *Canada Elections Act*;
 - (b) if he or she holds an appointment made by the Lieutenant Governor in Council, other than under this Regulation, or by the Governor in Council; or
 - (c) if he or she has been convicted of contravening the *Election Act*, the *Election Finances Act*, the *Municipal Elections Act, 1996* or any similar Act of Canada or of another province or territory.

Duty of Chief Election Officer

5. The Chief Election Officer shall provide the list and personal information to the Minister under paragraph 6 of section 17.9 of the Act on or before July 14, 2006.

Alternates and replacement of members from electoral districts

6. (1) The replacement of members of the assembly described in paragraph 2 of subsection 4 (1) by alternates from the same electoral districts is governed by the following rules:

1. Before the assembly's first meeting, if the Minister becomes aware that a member is unable to participate for any reason, the vacancy shall be filled.
2. During or after the assembly's first meeting but before it begins public consultations, if a member withdraws, dies or is expelled, the vacancy shall be filled, but only if the total number of members has fallen to 76 or fewer.
3. After the assembly begins public consultations, if a member withdraws, dies or is expelled, the vacancy shall not be filled.
4. When a vacancy is filled, the first alternate (or the second alternate, if the first is not available) becomes the member of the assembly from the relevant electoral district.

(2) A member, other than the chair, may be expelled for cause by the vote of two-thirds of the members of the assembly who are present and voting.

Duties of chair

7. The chair,
 - (a) shall oversee and facilitate the work of the assembly;
 - (b) shall ensure that the members of the assembly are provided with appropriate educational resources;
 - (c) may choose from the other members of the assembly up to three deputy chairs to assist him or her;
 - (d) shall prepare rules of procedure for approval by the assembly;
 - (e) shall preside over meetings of the assembly; and
 - (f) shall promptly advise the Minister whenever a vacancy arises during or after the assembly's first meeting.

Proceedings of assembly

8. (1) The assembly's decisions shall be made by a vote of the majority of the members present.
- (2) The chair shall not vote, except to break a tie.
- (3) Meetings of the whole assembly shall be open to the public, but meetings of smaller subgroups need not be.
- (4) A person with a disability who is entitled to attend a meeting is entitled, on request, to have the meeting conducted so as to be accessible to him or her.
- (5) Simultaneous interpretation between French and English shall be made available, on request, for members and for the public at meetings of the whole assembly and at meetings of smaller subgroups.
- (6) The assembly's publications shall be made available in French and English.
- (7) A person with a disability is entitled, on request, to have access to any or all of the assembly's publications in an alternative format.

TABLE I

| Principle | Characteristics |
|---------------------------------|---|
| Legitimacy | The electoral system should have the confidence of Ontarians and reflect their values. |
| Fairness of representation | The Legislative Assembly should reflect the population of Ontario in accordance with demographic representation, proportionality and representation by population, among other factors. |
| Voter choice | The electoral system should promote voter choice in terms of quantity and quality of options available to voters. |
| Effective parties | Political parties should be able to structure public debate, mobilize and engage the electorate, and develop policy alternatives. |
| Stable and effective government | The electoral system should contribute to continuity of government, and governments should be able to develop and implement their agendas and take decisive action when required. |
| Effective parliament | The Legislative Assembly should include a government and opposition, and should be able to perform its parliamentary functions successfully. |
| Stronger voter participation | Ontario's electoral system should promote voter participation as well as engagement with the broader democratic process. |
| Accountability | Ontario voters should be able to identify decision-makers and hold them to account. |

RÈGLEMENT DE L'ONTARIO 82/06

pris en application de la

LOI ÉLECTORALE

pris le 3 février 2006

déposé le 24 mars 2006

publié sur le site Lois-en-ligne le 28 mars 2006

imprimé dans la *Gazette de l'Ontario* le 8 avril 2006

ASSEMBLÉE DE CITOYENS SUR LA RÉFORME ÉLECTORALE

Définition

1. La définition qui suit s'applique au présent règlement.

«assemblée» L'assemblée de citoyens sur la réforme électorale formée conformément au présent règlement.

Obligation du ministre

2. Le ministre forme un groupe représentatif d'électeurs, appelé assemblée de citoyens sur la réforme électorale, conformément au paragraphe 17.8 (1) de la Loi et au présent règlement.

Mandat

3. (1) L'assemblée :

- a) d'une part, évalue le système électoral actuel de l'Ontario et différents systèmes électoraux;
- b) d'autre part, recommande si l'Ontario devrait conserver son système électoral actuel ou en adopter un autre.

(2) Sans préjudice de la portée générale de l'alinéa (1) a), lorsqu'elle évalue les systèmes électoraux, l'assemblée prend en considération les principes et les caractéristiques mentionnés au tableau 1.

(3) Le paragraphe (2) n'a pas pour effet d'empêcher l'assemblée de prendre en considération tout autre principe ou toute autre caractéristique qu'elle estime pertinent.

(4) Tout système électoral différent dont l'assemblée recommande l'adoption :

- a) d'une part, est décrit d'une façon claire et détaillée;
- b) d'autre part, est compatible avec la Constitution du Canada.

(5) L'assemblée consulte un large échantillon représentatif de la population de l'Ontario.

(6) Sans préjudice de la portée générale du paragraphe (5), l'assemblée peut consulter les personnes suivantes :

- a) les membres de l'ancien Comité spécial de la réforme électorale, qui a remis son rapport le 29 novembre 2005;

c) trois membres de l'Association ontarienne des ex-parlementaires, dont chacun est proposé par celle-ci pour représenter un des trois partis politiques reconnus à l'Assemblée législative.

(7) L'assemblée donne aux membres du public l'occasion de présenter des observations écrites et orales.

(8) L'assemblée termine ses travaux et présente au ministre un rapport en français et en anglais qui contient ses recommandations au plus tard le 15 mai 2007.

Membres et membres suppléants

4. (1) L'assemblée se compose des 104 membres suivants :

1. Un président nommé par le lieutenant-gouverneur en conseil.
2. Un membre de chacune des 103 circonscriptions électorales de l'Ontario.

(2) Les membres visés à la disposition 2 du paragraphe (1) comprennent 52 femmes et 51 hommes.

(3) Un membre est une personne qui s'identifie comme un Autochtone, c'est-à-dire un Indien de l'Amérique du Nord, un Métis ou un Inuit.

(4) Chaque circonscription électorale doit compter un premier membre suppléant et un deuxième membre suppléant du même sexe que le membre de la circonscription.

(5) Ne peut être membre ou membre suppléant la personne :

a) soit qui est, selon le cas :

- (i) député à l'Assemblée législative de l'Ontario ou à la Chambre des communes du Canada ou membre du Sénat canadien,
- (ii) membre élu d'une administration municipale, y compris un conseil au sens de la *Loi sur l'éducation*,
- (iii) dirigeant d'un parti ou d'une association de circonscription inscrite en application de la *Loi sur le financement des élections* ou de la *Loi électorale du Canada*,
- (iv) candidat d'un parti qui est inscrit en application de la *Loi sur le financement des élections* ou de la *Loi électorale du Canada*;

b) soit titulaire d'une charge à laquelle elle a été nommée par le lieutenant-gouverneur en conseil, sauf en application du présent règlement, ou par le gouverneur en conseil;

c) soit qui a été déclarée coupable d'une contravention à la *Loi électorale*, à la *Loi sur le financement des élections*, à la *Loi de 1996 sur les élections municipales* ou à toute loi analogue du Canada, d'une autre province ou d'un territoire.

Obligation du directeur général des élections

5. Le directeur général des élections fournit la liste et les renseignements personnels au ministre en application de la disposition 6 de l'article 17.9 de la *Loi* au plus tard le 14 juillet 2006.

Remplacement par des membres suppléants des mêmes circonscriptions électorales

6. (1) Le remplacement des membres de l'assemblée visés à la disposition 2 du paragraphe 4 (1) par des membres suppléants des mêmes circonscriptions électorales est régi par les règles suivantes :

1. Si le ministre apprend, avant la première séance de l'assemblée, qu'un membre n'est pas en mesure de participer à celle-ci pour quelque raison que ce soit, la vacance est comblée.
2. Si un membre se retire, décède ou est expulsé pendant ou après la première séance de l'assemblée, mais avant qu'elle ne commence ses consultations publiques, la vacance est comblée, mais uniquement si le nombre total de membres n'est plus que de 76 ou moins.
3. Si un membre se retire, décède ou est expulsé après que l'assemblée a commencé ses consultations publiques, la vacance n'est pas comblée.
4. Lorsqu'une vacance est comblée, le premier membre suppléant (ou le deuxième, si le premier n'est pas disponible) devient le membre de la circonscription électorale en cause.

(2) Un membre, autre que le président, peut être expulsé pour un motif valable à la majorité des deux tiers des membres de l'assemblée qui sont présents et qui votent.

Fonctions du président

7. Le président :

- a) supervise et facilite les travaux de l'assemblée;
- b) veille à ce que les membres de l'assemblée reçoivent des ressources appropriées en matière de formation;
- c) peut choisir parmi les autres membres de l'assemblée jusqu'à trois vice-présidents pour l'aider;

- d) prépare des règles de procédure en vue de leur approbation par l'assemblée;
- e) préside les séances de l'assemblée;
- f) avise promptement le ministre lorsqu'une vacance se produit pendant ou après la première séance de l'assemblée.

Travaux de l'assemblée

8. (1) Les décisions de l'assemblée sont prises à la majorité des membres présents.
- (2) Le président ne dispose d'aucune voix, sauf en cas de partage.
- (3) Les séances de l'assemblée plénière sont publiques, mais celles des sous-groupes n'ont pas besoin de l'être.
- (4) La personne handicapée qui a le droit d'assister à une séance a également droit, sur demande, à ce que la séance se déroule de façon à lui être accessible.
- (5) L'interprétation simultanée entre le français et l'anglais est offerte, sur demande, aux membres et au public lors des séances de l'assemblée plénière et des sous-groupes.
- (6) Les publications de l'assemblée sont offertes en français et en anglais.
- (7) La personne handicapée a le droit, sur demande, d'avoir accès à tout ou partie des publications de l'assemblée dans un média substitut.

TABLEAU 1

| Principe | Caractéristiques |
|---------------------------------------|---|
| Légitimité | Le système électoral devrait avoir la confiance des Ontariens et refléter leurs valeurs. |
| Représentation équitable | L'Assemblée législative devrait refléter la population de l'Ontario conformément à la représentation démographique, à la proportionnalité et à la représentation selon la population, entre autres facteurs. |
| Choix des votants | Le système électoral devrait offrir aux votants un plus grand nombre de choix et des choix meilleurs. |
| Partis efficaces | Les partis politiques devraient être en mesure de structurer le débat public, de mobiliser et d'engager l'électorat et d'élaborer des politiques de rechange. |
| Gouvernement stable et efficace | Le système électoral devrait contribuer à la continuité du gouvernement, et les gouvernements devraient être en mesure de formuler et de mettre en oeuvre leurs plans d'action et de prendre des mesures décisives au besoin. |
| Parlement efficace | L'Assemblée législative devrait comprendre un gouvernement et une opposition et être en mesure de bien exercer ses fonctions parlementaires. |
| Plus grande participation des votants | Le système électoral de l'Ontario devrait encourager la participation des votants ainsi que leur engagement dans les différents aspects du processus démocratique. |
| Responsabilisation | Les votants ontariens devraient être en mesure d'identifier les décideurs et de les responsabiliser. |

14/06

ONTARIO REGULATION 83/06

made under the

PLANNING ACT

Made: March 21, 2006

Filed: March 24, 2006

Published on e-Laws: March 27, 2006

Printed in *The Ontario Gazette*: April 8, 2006

Revoking O. Reg. 431/03

(Zoning Area — Town of Richmond Hill)

Note: Ontario Regulation 431/03 has not previously been amended.

1. Ontario Regulation 431/03 is revoked.

made by:

JOHN PHILIP GERRETSEN
Minister of Municipal Affairs and Housing

Date made: March 21, 2006.

14/06

NOTE: The Table of Regulations – Legislative History Overview and other tables related to regulations can be found at the e-Laws website (www.e-Laws.gov.on.ca) under Tables. Consolidated regulations may also be found at that site by clicking on Statutes and associated Regulations under Consolidated Law.

REMARQUE : On trouve le Sommaire de l'historique législatif des règlements et d'autres tables liées aux règlements sur le site Web Lois-en-ligne (www.lois-en-ligne.gouv.on.ca) en cliquant sur «Tables». On y trouve également les règlements codifiés en cliquant sur le lien Lois et règlements d'application sous la rubrique «Textes législatifs codifiés».

Publications under the Regulations Act Publications en vertu de la Loi sur les règlements

2006—04—15

ONTARIO REGULATION 84/06

made under the

MENTAL HOSPITALS ACT

Made: November 17, 2005

Filed: March 27, 2006

Published on e-Laws: March 28, 2006

Printed in *The Ontario Gazette*: April 15, 2006

Amending Reg. 744 of R.R.O. 1990
(General)

Note: Regulation 744 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Item 11 of section 1 of Regulation 744 of the Revised Regulations of Ontario, 1990 is revoked.

15/06

ONTARIO REGULATION 85/06

made under the

LAND REGISTRATION REFORM ACT

Made: February 9, 2006

Filed: March 27, 2006

Published on e-Laws: March 28, 2006

Printed in *The Ontario Gazette*: April 15, 2006

Amending O. Reg. 16/99
(Automated System)

Note: Ontario Regulation 16/99 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. The Table to subsection 3 (1) of Ontario Regulation 16/99 is amended by adding the following item:

| Column 1 | Column 2 |
|---------------|----------------|
| Kent (No. 24) | March 27, 2006 |

Made by:

GERRY PHILLIPS
Minister of Government Services

Date made: February 9, 2006.

15/06

ONTARIO REGULATION 86/06
made under the
ONTARIO ENERGY BOARD ACT, 1998

Made: March 27, 2006
Filed: March 28, 2006
Published on e-Laws: March 29, 2006
Printed in *The Ontario Gazette*: April 15, 2006

5
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ASSESSMENT OF EXPENSES AND EXPENDITURES

Class of persons liable for Board expenses and expenditures

1. The following persons or classes of persons are liable for the purpose of subsection 26 (1) of the Act to pay an assessment with respect to expenses incurred and expenditures made by the Board:

1. Distributors that are licensed under Part V of the Act.
2. Transmitters that are licensed under Part V of the Act.
3. Gas transmitters; gas distributors and storage companies that are subject to section 36 of the Act.

Fiscal year

2. Section 1 applies in respect of the Board's fiscal year that commences on April 1, 2006 and ends on March 31, 2007.

Revocation

3. This Regulation is revoked on March 31, 2007.

15/06

ONTARIO REGULATION 87/06
made under the
CHILD AND FAMILY SERVICES ACT

Made: March 27, 2006
Filed: March 28, 2006
Published on e-Laws: March 28, 2006
Printed in *The Ontario Gazette*: April 15, 2006

EXEMPTION: LICENSING, LOCKING-UP AND SECURE ISOLATION

Exemption re licensing

1. The facilities set out in Table 1 to this Regulation are exempt from the licensing requirements in Part IX of the Act and in Part IX of Regulation 70 of the Revised Regulations of Ontario, 1990 (General) made under the Act, until April 1, 2009.

Exemptions re locking-up and secure isolation

2. A facility operated pursuant to Part V of the *Ministry of Correctional Services Act* is exempt, until April 1, 2009, from,
 - (a) the restriction preventing a service provider from detaining a child in locked premises in the course of the provision of services to the child as set out in section 100 of the *Child and Family Services Act*; and
 - (b) the restriction preventing a service provider from isolating a child in a locked place as set out in section 127 of the *Child and Family Services Act*.

Revocation

3. Ontario Regulation 58/04 is revoked.

Commencement

4. This Regulation comes into force on April 1, 2006.

TABLE 1

| | Facility |
|----|-------------------------------------|
| 1. | Hamilton Wentworth Detention Centre |
| 2. | Invictus Youth Centre |
| 3. | Kenora Jail |
| 4. | Ottawa Carleton Detention Centre |
| 5. | Thunder Bay Correctional Centre |
| 6. | Windsor Jail |

15/06

ONTARIO REGULATION 88/06

made under the

MILK ACT

Made: March 24, 2006

Filed: March 28, 2006

Published on e-Laws: March 29, 2006

Printed in *The Ontario Gazette*: April 15, 2006

Amending Reg. 761 of R.R.O. 1990
(Milk and Milk Products)

Note: Regulation 761 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Subsection 58 (1) of Regulation 761 of the Revised Regulations of Ontario, 1990 is amended by adding “and amended on March 17, 2006” after “Friday, October 27, 2000”.

2. Section 58.1 of the Regulation is revoked and the following substituted:

58.1 (1) In this section,

“addendum 2” means addendum 2 to Schedule A to the agreement described in subsection 58 (1);

“relevant annual period” means the period that begins on December 1, 2005 and ends on November 30, 2006.

(2) Despite subsection 58 (2), with respect to the portion of the relevant annual period that falls on and after the day this section comes into force, the fees payable to the laboratory conducting tests for the sampling and testing of milk are payable by the marketing board and by the operators of plants to which milk is supplied in an amount equal to the industry share of the following costs, as described in addendum 2:

1. The cost of sampling milk.
2. The cost of testing milk for compositional analysis.

(3) Subsections 58 (3) and (4) apply, with necessary modifications, with respect to the fees payable by the marketing board and the operators under subsection (2).

(4) Despite subsection 58 (5), with respect to the portion of the relevant annual period that falls on and after the day this section comes into force, in addition to the fees payable under subsection (3), the marketing board shall pay to the laboratory that is testing milk for somatic cells the amount described in addendum 2 as the marketing board’s share of the total costs for conducting such tests.

(5) The marketing board shall remit to the laboratory the fees received from plant operators and the fees payable by the marketing board under this section, at the time and in the manner set out in the agreement described in subsection 58 (1).

3. This Regulation comes into force on April 1, 2006.

Made by:

ONTARIO FARM PRODUCTS MARKETING COMMISSION:

DAVE HOPE
Chair

GLORIA MARCO BORYS
Secretary

Date made: March 24, 2006.

15/06

ONTARIO REGULATION 89/06
made under the
SOCIAL HOUSING REFORM ACT, 2000

Made: March 27, 2006
Filed: March 28, 2006
Published on e-Laws: March 29, 2006
Printed in *The Ontario Gazette*: April 15, 2006

Amending O. Reg. 369/01
(Transfer of Administration for Housing Programs and Projects)

Note: Ontario Regulation 369/01 has previously been amended. Those amendments are listed in the Table of Regulations and Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Schedule 10 to Ontario Regulation 369/01 is amended by striking out Items 150 and 151 and substituting the following:

| | | | |
|------|-------|---|---------------|
| 150. | 6 (a) | 31 Oprington Drive, Kitchener — Shehrazad Non-Profit Housing Inc. | June 30, 2006 |
| 151. | 5 | 45 Howe Drive, Kitchener — Shehrazad Non-Profit Housing Inc. | June 30, 2006 |

RÈGLEMENT DE L'ONTARIO 89/06
pris en application de la
LOI DE 2000 SUR LA RÉFORME DU LOGEMENT SOCIAL

pris le 27 mars 2006
déposé le 28 mars 2006
publié sur le site Lois-en-ligne le 29 mars 2006
imprimé dans la *Gazette de l'Ontario* le 15 avril 2006

modifiant le Règl. de l'Ont. 369/01
(Transfert de l'administration de programmes de logement et d'ensembles domiciliaires)

Remarque : Le Règlement de l'Ontario 369/01 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des règlements qui se trouve sur le site www.lois-en-ligne.gouv.on.ca.

1. L'annexe 10 du Règlement de l'Ontario 369/01 est modifiée par substitution de ce qui suit aux numéros 150 et 151 :

| | | | |
|------|------|---|--------------|
| 150. | 6 a) | 31 Oprington Drive, Kitchener — Shehrazad Non-Profit Housing Inc. | 30 juin 2006 |
| 151. | 5 | 45 Howe Drive, Kitchener — Shehrazad Non-Profit Housing Inc. | 30 juin 2006 |

15/06

ONTARIO REGULATION 90/06

made under the

SOCIAL HOUSING REFORM ACT, 2000

Made: March 21, 2006

Filed: March 28, 2006

Published on e-Laws: March 29, 2006

Printed in *The Ontario Gazette*: April 15, 2006

Amending O. Reg. 339/01

(Housing Projects Subject to Part VI of the Act)

Note: Ontario Regulation 339/01 has previously been amended. Those amendments are listed in the Table of Regulations — Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Table 1 of Ontario Regulation 339/01 is amended by striking out the following in the columns headed “Housing Project” and “Commencement Date” respectively, opposite “Regional Municipality of Waterloo” in the column headed “Service Manager”,

| | |
|---|----------------|
| 31 Oprington Drive, Kitchener — Shehrazad Non-Profit Housing Inc. | March 31, 2006 |
|---|----------------|

and substituting,

| | |
|---|---------------|
| 31 Oprington Drive, Kitchener — Shehrazad Non-Profit Housing Inc. | June 30, 2006 |
|---|---------------|

RÈGLEMENT DE L'ONTARIO 90/06

pris en application de la

LOI DE 2000 SUR LA RÉFORME DU LOGEMENT SOCIAL

pris le 21 mars 2006

déposé le 28 mars 2006

publié sur le site Lois-en-ligne le 29 mars 2006

imprimé dans la *Gazette de l'Ontario* le 15 avril 2006

modifiant le Règl. de l'Ont. 339/01

(Ensembles domiciliaires visés par la partie VI de la Loi)

Remarque : Le Règlement de l'Ontario 339/01 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des règlements qui se trouve sur le site www.lois-en-ligne.gouv.on.ca.

1. Le tableau 1 du Règlement de l'Ontario 339/01 est modifié par substitution de

| | |
|---|--------------|
| 31 Oprington Drive, Kitchener — Shehrazad Non-Profit Housing Inc. | 30 juin 2006 |
|---|--------------|

à

| | |
|---|--------------|
| 31 Oprington Drive, Kitchener — Shehrazad Non-Profit Housing Inc. | 31 mars 2006 |
|---|--------------|

dans les colonnes intitulées respectivement «Ensemble domiciliaire» et «Date d'effet» en regard de «Municipalité régionale de Waterloo» dans la colonne intitulée «Gestionnaire de services».

Made by:
Pris par :

Le ministre des Affaires municipales et du Logement,

JOHN PHILIP GERRETSEN
Minister of Municipal Affairs and Housing

Date made: March 21, 2006.
Pris le : 21 mars 2006.

15/06

ONTARIO REGULATION 91/06
made under the
REAL ESTATE AND BUSINESS BROKERS ACT, 2002

Made: March 27, 2006
Filed: March 28, 2006
Published on e-Laws: March 29, 2006
Printed in *The Ontario Gazette*: April 15, 2006

TRANSITIONAL MATTERS — CODE OF ETHICS

Transitional

1. (1) The board of the administrative authority designated under the *Safety and Consumer Statutes Administration Act, 1996* to administer the Act may, with the prior approval of the Minister,

- (a) pass by-laws to establish a code of ethics that applies to a registrant for conduct before March 31, 2006 and to establish any process relating to that conduct; and
- (b) require a registrant, to whom the code of ethics mentioned in clause (a) applies, to comply with the code of ethics and to participate in the process mentioned in that clause.

(2) Despite the repeal of section 46.1 of the *Real Estate and Business Brokers Act*, a by-law of the Real Estate Council of Ontario, or the part of the by-law, passed under that section before March 31, 2006 to establish a code of ethics that applies to a registrant for conduct before March 31, 2006 and to establish any process relating to that conduct is continued as a by-law passed under clause (1) (a).

(3) If the code of ethics mentioned in clause (1) (a) applies to a registrant, the registrant shall comply with every order of a committee that is part of the process mentioned in that clause, if the order applies to the registrant.

Revocation

2. This Regulation is revoked on March 31, 2011.

Commencement

3. This Regulation comes into force on March 31, 2006.

REGLEMENT DE L'ONTARIO 91/06

pris en application de la

LOI DE 2002 SUR LE COURTAGE COMMERCIAL ET IMMOBILIER

pris le 27 mars 2006
déposé le 28 mars 2006
publié sur le site Lois-en-ligne le 29 mars 2006
imprimé dans la *Gazette de l'Ontario* le 15 avril 2006

DISPOSITIONS TRANSITOIRES — CODE DE DÉONTOLOGIE

Dispositions transitoires

1. (1) Le conseil d'administration de l'organisme d'application désigné en vertu de la *Loi de 1996 sur l'application de certaines lois traitant de sécurité et de services aux consommateurs* pour appliquer la présente loi peut, sous réserve de l'approbation préalable du ministre :

- a) adopter des règlements administratifs afin d'établir un code de déontologie applicable aux personnes inscrites à l'égard de leur conduite antérieure au 31 mars 2006, ainsi que les procédures se rapportant à cette conduite;
- b) exiger que les personnes inscrites auxquelles s'applique le code de déontologie visé à l'alinéa a) observent ce code et participent aux procédures visées à cet alinéa.

(2) Malgré l'abrogation de l'article 46.1 de la *Loi sur le courtage commercial et immobilier*, tout ou partie d'un règlement administratif du Conseil ontarien de l'immobilier qui est adopté en vertu de cet article avant le 31 mars 2006 afin d'établir un code de déontologie applicable aux personnes inscrites à l'égard de leur conduite antérieure au 31 mars 2006, ainsi que les procédures se rapportant à cette conduite est prorogé à titre de règlement administratif adopté en vertu de l'alinéa (1) a).

(3) Les personnes inscrites auxquelles s'applique le code de déontologie visé à l'alinéa (1) a) doivent observer toute ordonnance applicable d'un comité qui intervient dans les procédures visées à cet alinéa.

Abrogation

2. Le présent règlement est abrogé le 31 mars 2011.

Entrée en vigueur

3. Le présent règlement entre en vigueur le 31 mars 2006.

15/06

ONTARIO REGULATION 92/06

made under the

EMPLOYMENT STANDARDS ACT, 2000

Made: March 27, 2006
Filed: March 28, 2006
Published on e-Laws: March 29, 2006
Printed in *The Ontario Gazette*: April 15, 2006

Amending O. Reg. 285/01

(Exemptions, Special Rules and Establishment of Minimum Wage)

Note: Ontario Regulation 285/01 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Clause 2 (1) (g) of Ontario Regulation 285/01 is revoked and the following substituted:

(g) as a salesperson or broker, as those terms are defined in the *Real Estate and Business Brokers Act, 2002*; or

2. This Regulation comes into force on March 31, 2006.

RÈGLEMENT DE L'ONTARIO 92/06

pris en application de la

LOI DE 2000 SUR LES NORMES D'EMPLOI

pris le 27 mars 2006
déposé le 28 mars 2006
publié sur le site Lois-en-ligne le 29 mars 2006
imprimé dans la *Gazette de l'Ontario* le 15 avril 2006

modifiant le Règl. de l'Ont. 285/01
(Exemptions, règles spéciales et fixation du salaire minimum)

Remarque : Le Règlement de l'Ontario 285/01 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des règlements qui se trouve sur le site www.lois-en-ligne.gouv.on.ca.

1. L'alinéa 2 (1) g) du Règlement de l'Ontario 285/01 est abrogé et remplacé par ce qui suit :

g) en tant qu'agent immobilier ou que courtier, au sens de la *Loi de 2002 sur le courtage commercial et immobilier*;

2. Le présent règlement entre en vigueur le 31 mars 2006.

15/06

ONTARIO REGULATION 93/06

made under the

MUNICIPAL ACT, 2001

Made: March 27, 2006
Filed: March 28, 2006
Published on e-Laws: March 29, 2006
Printed in *The Ontario Gazette*: April 15, 2006

TAX MATTERS — REGIONAL MUNICIPALITY OF PEEL

Designation

1. The Regional Municipality of Peel is designated for 2006 for the purposes of section 310 of the Act.

Delegation

2. (1) If The Regional Municipality of Peel passes a by-law under section 310 of the Act delegating the authority to establish tax ratios for 2006 to its lower-tier municipalities, a lower-tier municipality shall, for 2006,

- (a) use the tax ratios it establishes to calculate, with respect to each local municipality levy of the lower-tier municipality under section 312 of the Act, a separate tax rate on the assessment in each property class in the lower-tier municipality rateable for purposes of the local municipality levy; and
- (b) establish and levy, with respect to each upper-tier levy of The Regional Municipality of Peel under section 311 of the Act, a separate tax rate on the assessment in each property class in the lower-tier municipality rateable for purposes of the upper-tier levy sufficient to raise the lower-tier municipality's portion of the upper-tier levy calculated under section 3.

(2) The tax rates the lower-tier municipality establishes under clause (1) (b) must be in the same proportion to each other as the tax ratios established by the lower-tier municipality for the property classes are to each other.

(3) Subsections 311 (7) to (9) and (22) to (25) of the Act apply with necessary modifications to the tax rates established by the lower-tier municipality under clause (1) (b) as if the lower-tier municipality were an upper-tier municipality.

(4) An upper-tier levy by-law of The Regional Municipality of Peel under section 311 of the Act shall set out a lower-tier municipality's portion of an upper-tier levy calculated under section 3 and shall not establish tax rates to be levied by the lower-tier municipality to raise the lower-tier municipality's portion.

Portion to be raised

3. For the purposes of the upper-tier levy or any special upper-tier levy of The Regional Municipality of Peel under section 311 of the Act, the portion to be raised in each lower-tier municipality shall be as follows:

| | |
|-------------|-----------|
| Mississauga | 63.42802% |
| Brampton | 31.46278% |
| Caledon | 5.10920% |

Revocation

4. Ontario Regulation 158/05 is revoked.

Made by:

JOHN PHILIP GERRETSEN
Minister of Municipal Affairs and Housing

Date made: March 27, 2006.

15/06

ONTARIO REGULATION 94/06

made under the

HIGHWAY TRAFFIC ACT

Made: March 27, 2006

Filed: March 28, 2006

Published on e-Laws: March 29, 2006

Printed in *The Ontario Gazette*: April 15, 2006

BORDER APPROACH LANES

Definition

1. In this Regulation,

“commercial motor vehicle” has the same meaning as in subsection 16 (1) of the Act.

Restricted use of border approach lanes

2. (1) No person shall drive a commercial motor vehicle or a combination of commercial motor vehicle and towed vehicle in a border approach lane unless,

(a) the commercial motor vehicle has displayed in its front windshield a valid placard issued by either the Canadian Border Services Agency or the United States of America’s Customs Border Protection as part of the Free and Secure Trade (FAST) program operated by those entities; and

(b) all the occupants of the commercial motor vehicle have valid FAST Commercial Driver identification cards issued by either of the entities described in clause (a) as part of the Free and Secure Trade (FAST) program.

(2) A person may drive a commercial motor vehicle or a combination of commercial motor vehicle and towed vehicle in a border approach lane without complying with subsection (1) if the commercial motor vehicle is,

(a) an emergency vehicle, as defined in section 144 of the Act, operated by a person in the performance of his or her duties;

(b) a vehicle operated by a police officer in the performance of his or her duties;

(c) a vehicle owned or leased by the Crown in right of Ontario operated, in the performance of his or her duties, by an officer appointed for enforcing and carrying out the provisions of the Act;

(d) a road service vehicle engaged in highway maintenance or construction; or

(e) a bus.

(3) A person may drive a commercial motor vehicle or a combination of commercial motor vehicle and towed vehicle in a border approach lane where it is impossible to avoid a temporary contravention of subsection (1),

- (a) due to an emergency; or
- (b) in order to enter a highway lane or an exit off of the highway that is adjacent to the border approach lane.

Signs

3. (1) The restrictions under subsection 2 (1) are in effect only if the border approach lane is marked by signs in accordance with this section.

(2) Border approach lane signs shall be erected at least every 2 kilometres along the length of a border approach lane.

(3) Border approach lane signs may be overhead or ground mounted; an overhead sign shall be erected directly above the border approach lane and a ground mounted sign shall be erected on the side of the highway facing approaching traffic in the border approach lane.

(4) An overhead border approach lane sign shall have the dimensions and bear the markings as illustrated in Figure A and a ground mounted border approach lane sign shall have the dimensions and bear the markings as illustrated in Figure B or C.

(5) Despite subsection (4), in an area designated in the Schedule to the *French Language Services Act*, a border approach lane sign prescribed under that subsection shall be accompanied by an overhead sign that has the dimensions and bears the markings as illustrated in Figure D or by a ground mounted sign that has the dimensions and bears the markings as illustrated in Figure E or F.

(6) The commencement of a border approach lane shall be indicated by an overhead sign that has the dimensions and bears the markings as illustrated in Figure G or a ground mounted sign that has the dimensions and bears the markings as illustrated in Figure H or I.

(7) Despite subsection (6), in an area designated in the Schedule to the *French Language Services Act*, a border approach lane begins sign prescribed under that subsection shall be accompanied by an overhead sign that has the dimensions and bears the markings as illustrated in Figure J or by a ground mounted sign that has the dimensions and bears the markings as illustrated in Figure K or L.

(8) The dimensions of a border approach lane sign or a border approach lane begins sign may differ from those prescribed under this section as long as the dimensions are in the same proportion to each other as the dimensions prescribed under this section.

(9) If a municipality that is in an area designated in the Schedule to the *French Language Services Act* has jurisdiction over a border approach lane, the municipality may erect only the signs prescribed under subsections (4) and (6), and not the signs prescribed under subsections (5) and (7), unless the municipality has passed a by-law under section 14 of that Act and the by-law is in effect.

(10) Despite subsections (4), (5), (6) and (7), a border approach lane sign or border approach lane begins sign may be a sign that displays electronic messages consisting of only the text that is prescribed under those subsections, without regard to the dimensions, markings and other characteristics illustrated in the prescribed signs.

Maximum length of border approach lane

4. The maximum length of a border approach lane is 15 kilometres.

FIGURE A



FIGURE B



FIGURE C

- White Retro-Ref. Background
- Black Border, Symbol, Arrow and Legend
- Red Retro-Ref. Annular Band
- Red Retro-Ref. Interdictory Stroke



- Red Retro-Ref. Logo & Stripe
 - Blue Retro-Ref. Logo & Legend
- (600 x 1500 mm) or
(900 x 2100 mm)

FIGURE D

- White Retro-Ref. Background
- Black Border, Symbol, Arrow and Legend
- Red Retro-Ref. Annular Band
- Red Retro-Ref. Interdictory Stroke



- Red Retro-Ref. Logo & Stripe
 - Blue Retro-Ref. Logo & Legend
- (900 x 2100 mm)

FIGURE E



FIGURE F



FIGURE G

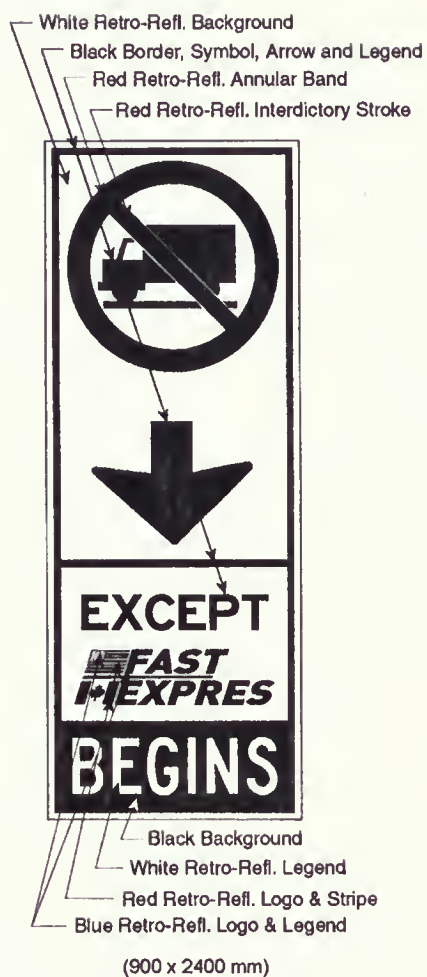


FIGURE H



FIGURE 1

- White Retro-Ref. Background
- Black Border, Symbol, Arrow and Legend
- Red Retro-Ref. Annular Band
- Red Retro-Ref. Interdictory Stroke



- Black Background
- White Retro-Ref. Legend
- Red Retro-Ref. Logo & Stripe
- Blue Retro-Ref. Logo & Legend

(600 x 1700 mm) or
(900 x 2400 mm)

FIGURE J

- White Retro-Ref. Background
- Black Border, Symbol, Arrow and Legend
- Red Retro-Ref. Annular Band
- Red Retro-Ref. Interdictory Stroke



- Black Background
- White Retro-Ref. Legend
- Red Retro-Ref. Logo & Stripe
- Blue Retro-Ref. Logo & Legend

(900 x 2400 mm)

FIGURE K

- Black Border, Symbol, Arrow and Legend
- Red Retro-Ref. Annular Band
- Red Retro-Ref. Interdictory Stroke
- White Retro-Ref. Background



- Black Background
- White Retro-Ref. Legend
- Red Retro-Ref. Logo & Stripe
- Blue Retro-Ref. Logo & Legend

(600 x 1700 mm) or
(900 x 2400 mm)

FIGURE L

- White Retro-Ref. Background
- Black Border, Symbol, Arrow and Legend
- Red Retro-Ref. Annular Band
- Red Retro-Ref. Interdictory Stroke



- Black Background
- White Retro-Ref. Legend
- Red Retro-Ref. Logo & Stripe
- Blue Retro-Ref. Logo & Legend

(600 x 1700 mm) or
(900 x 2400 mm)

Commencement

5. This Regulation comes into force on the later of March 31, 2006 and the day this Regulation is filed.

Made by:

HARINDER JEET SINGH TAKHAR
Minister of Transportation

Date made: March 27, 2006.

15/06

ONTARIO REGULATION 95/06

made under the

PROVINCIAL OFFENCES ACT

Made: March 27, 2006

Filed: March 28, 2006

Published on e-Laws: March 29, 2006

Printed in *The Ontario Gazette*: April 15, 2006

Amending Reg. 950 of R.R.O. 1990

(Proceedings Commenced by Certificate of Offence)

Note: Regulation 950 has previously been amended. Those amendments are listed in the [Table of Regulations – Legislative History Overview](#) which can be found at www.e-Laws.gov.on.ca.

1. Schedule 43 to Regulation 950 of the Revised Regulations of Ontario, 1990 is amended by adding the following items:

| | | |
|-------|---|-------------|
| 340.4 | Speeding — construction zone | section 128 |
| 340.5 | Speeding — construction zone — worker present | section 128 |

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| | | |
|-------|--|----------------------|
| 430.2 | Fail to obey traffic control stop sign | subsection 146.1 (3) |
| 430.3 | Fail to obey traffic control stop sign — community safety zone | subsection 146.1 (3) |
| 430.4 | Fail to obey traffic control slow sign | subsection 146.1 (4) |
| 430.5 | Fail to obey traffic control slow sign — community safety zone | subsection 146.1 (4) |
| 430.6 | Display traffic control sign — unauthorized person | subsection 146.1 (5) |

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| | | |
|-------|---|----------------------|
| 460.3 | Improper use of border approach lane | subsection 154.2 (2) |
| 460.4 | Driver in border approach lane — fail to stop | subsection 154.2 (4) |
| 460.5 | Fail to provide required document — driver | subsection 154.2 (4) |
| 460.6 | Fail to provide required document — occupant | subsection 154.2 (4) |

2. This Regulation comes into force on the later of March 31, 2006 and the day this Regulation is filed.

RÈGLEMENT DE L'ONTARIO 95/06

pris en application de la

LOI SUR LES INFRACTIONS PROVINCIALES

pris le 27 mars 2006

déposé le 28 mars 2006

publié sur le site Lois-en-ligne le 29 mars 2006

imprimé dans la *Gazette de l'Ontario* le 15 avril 2006

modifiant le Règl. 950 des R.R.O. de 1990

(Instances introduites au moyen du dépôt d'un procès-verbal d'infraction)

Remarque : Le Règlement 950 a été modifié antérieurement. Ces modifications sont indiquées dans le [Sommaire de l'historique législatif des règlements](#) qui se trouve sur le site www.lois-en-ligne.gouv.on.ca.

1. L'annexe 43 du Règlement 950 des Règlements refondus de l'Ontario de 1990 est modifiée par adjonction des numéros suivants :

| | | |
|-------|--|-------------|
| 340.4 | Faire un excès de vitesse — zone de construction | article 128 |
| 340.5 | Faire un excès de vitesse — zone de construction — travailleur présent | article 128 |

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| | | |
|-------|--|----------------------|
| 430.2 | Omettre d'observer un panneau d'arrêt de la circulation | paragraphe 146.1 (3) |
| 430.3 | Omettre d'observer un panneau d'arrêt de la circulation — zone de sécurité communautaire | paragraphe 146.1 (3) |
| 430.4 | Omettre d'observer un panneau de ralentissement de la circulation | paragraphe 146.1 (4) |
| 430.5 | Omettre d'observer un panneau de ralentissement de la circulation — zone de sécurité communautaire | paragraphe 146.1 (4) |
| 430.6 | Faire usage d'un panneau de régulation de la circulation — personne non autorisée | paragraphe 146.1 (5) |

| | | |
|-------|--|----------------------|
| 460.3 | Utiliser irrégulièrement une voie d'accès à la frontière | paragraphe 154.2 (2) |
| 460.4 | Conducteur dans une voie d'accès à la frontière — omettre de s'arrêter | paragraphe 154.2 (4) |
| 460.5 | Omettre de fournir le document demandé — conducteur | paragraphe 154.2 (4) |
| 460.6 | Omettre de fournir le document demandé — occupant | paragraphe 154.2 (4) |

2. Le présent règlement entre en vigueur le 31 mars 2006 ou, s'il lui est postérieur, le jour de son dépôt.

15/06

ONTARIO REGULATION 96/06

made under the

HEALTH INSURANCE ACT

Made: March 27, 2006

Filed: March 30, 2006

Published on e-Laws: March 31, 2006

Printed in *The Ontario Gazette*: April 15, 2006

Amending Reg. 552 of R.R.O. 1990
(General)

Note: Regulation 552 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. (1) The definition of “schedule of benefits” in subsection 1 (1) of Regulation 552 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

“schedule of benefits” means the document published by the Ministry of Health and Long-Term Care titled “Schedule of Benefits — Physician Services under the *Health Insurance Act* (October 1, 2005)”, but does not include the “[Commentary...]” portions of the document, or its Appendices A, B, C and F, and includes the following amendments to the document:

1. Amendments dated April 1, 2006;

(2) Section 1 of the Regulation is amended by adding the following subsection:

(3) For the purposes of the definition of “schedule of benefits” in subsection (1), the document mentioned in that definition does not include its Appendix H, or its table of contents, alphabetic index or numeric index.

2. Paragraph 6 of subsection 24 (1) of the Regulation is revoked and the following substituted:

6. An interview or case conference in respect of an insured person that,

- i. lasts more than 20 minutes,
- ii. includes a professional, none of whose services are insured services, and
- iii. occurs at a place other than a hospital.

3. (1) Subject to subsections (2) and (3), this Regulation comes into force on the day it is filed.

(2) Subsection 1 (1) comes into force on April 1, 2006.

(3) Subsection 1 (2) shall be deemed to have come into force on October 1, 2005.

15/06

ONTARIO REGULATION 97/06

made under the

PROVINCIAL LAND TAX ACT

Made: March 30, 2006

Filed: March 30, 2006

Published on e-Laws: March 31, 2006

Printed in *The Ontario Gazette*: April 15, 2006

Amending O. Reg. 439/98

(Tax Rates under Section 21.1 of the Act for 1998 and Subsequent Years)

Note: Ontario Regulation 439/98 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-laws.gov.on.ca.

1. Ontario Regulation 439/98 is amended by adding the following section:

6. (1) Despite subsection 2 (1), the tax rates set out in Table 5 to this Regulation are prescribed for 2006 for the territories set out in that Table for the residential property class and the multi-residential property class, as prescribed under the *Assessment Act*.

(2) Despite subsection 2 (2), the tax rate equal to 25 per cent of the tax rate for the residential property class set out opposite the name of a territory in Table 5 to this Regulation is prescribed for 2006 as the tax rate for that territory for the farm property class and the managed forests property class, as prescribed under the *Assessment Act*.

2. The Regulation is amended by adding the following Table:

TABLE 5

TAX RATES FOR THE RESIDENTIAL PROPERTY CLASS AND THE MULTI-RESIDENTIAL PROPERTY CLASS
FOR 2006

| Territory | Tax Rate — Expressed as a Fraction of Assessed Value | |
|---------------------------------------|--|----------------------------------|
| | Residential Property Class | Multi-Residential Property Class |
| Nipissing, District of | | |
| Timiskaming Board of Education | 0.00192248 | |
| Nipissing Combined School Boards | 0.00122661 | |
| Parry Sound, District of | | |
| South River Township School Authority | 0.00204230 | |
| West Parry Sound Board of Education | 0.00019026 | |
| East Parry Sound Board of Education | 0.00185855 | |
| Manitoulin, District of | | |
| Manitoulin Locality Education | 0.00155616 | |
| Sudbury, District of | | |
| Sudbury Locality Education | 0.00342413 | |
| Espanola Locality Education | 0.00445696 | |
| Chapleau Locality Education | 0.00155047 | 0.00463170 |
| Foleyet DSA Locality Education | 0.00085164 | |
| Gogama DSA Locality Education | 0.00021070 | |
| Asquith Garvey DSA Locality Education | 0.00152681 | 0.00220314 |
| Timiskaming, District of | | |
| Kirkland Lake Locality Education | 0.00264450 | |
| Timiskaming Locality Education | 0.00268976 | |

| Territory | Tax Rate — Expressed as a Fraction of Assessed Value | |
|---|--|----------------------------------|
| | Residential Property Class | Multi-Residential Property Class |
| Cochrane, District of | | |
| Kap SRF and District Locality Education | 0.00249575 | |
| Cochrane-Iroquois Falls Locality Education | 0.00055833 | |
| James Bay Lowlands Locality Education | 0.00092150 | |
| Algoma, District of | | |
| Sault Ste. Marie Locality Education | 0.00400961 | 0.02985543 |
| Thunder Bay, District of | | |
| Nipigon Red Rock Locality Education | 0.00045881 | |
| Lake Superior Locality Education | 0.00102858 | 0.00862319 |
| Lakehead Locality Education | 0.00187073 | |
| Auden DSA Locality Education | 0.00020554 | |
| Rainy River, District of | | |
| Fort Frances/Rainy River Locality Education (assessment roll numbers beginning with "5902") | 0.00168322 | 0.00167371 |
| Fort Frances/Rainy River Locality Education (assessment roll numbers beginning with "5903") | 0.00128105 | |
| Atikokan Locality Education | 0.00077495 | |
| Kenora, District of | | |
| Kenora Locality Education | 0.00098995 | |
| Dryden Locality Education (assessment roll numbers beginning with "6060") | 0.00134033 | 0.00209719 |
| Dryden Locality Education (assessment roll numbers beginning with "6093") | 0.00168188 | |
| Red Lake Locality Education | 0.00256427 | |
| Dryden Locality Education (assessment roll numbers beginning with "6096") | 0.00172950 | 0.00275266 |

3. This Regulation shall be deemed to have come into force on January 1, 2006.

Made by:

DWIGHT DUNCAN
Minister of Finance

Date made: March 30, 2006.

15/06

ONTARIO REGULATION 98/06

made under the

EDUCATION ACT

Made: March 30, 2006

Filed: March 30, 2006

Published on e-Laws: March 31, 2006

Printed in *The Ontario Gazette*: April 15, 2006

Amending O. Reg. 400/98

(Tax Matters — Tax Rates for School Purposes)

Note: Ontario Regulation 400/98 has previously been amended. Those amendments are listed in the Table of Regulations - Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. (1) Subsection 1 (1) of Ontario Regulation 400/98 is amended by adding the following paragraph:

5. 0.264 per cent per year for 2006.

(2) Section 1 of the Regulation is amended by adding the following subsection:

(5) The tax rate for school purposes for 2006 for property in the farm property class or the managed forests property class, as prescribed under the *Assessment Act*, is 0.0660 per cent of the assessed value of the property.

2. Section 2 of the Regulation is amended by adding the following subsection:

(8) For 2006, the annual tax rate for school purposes for the purposes of section 257.7 of the Act for a municipality set out in Table 17 for the pipeline property class is the tax rate in the column entitled "Pipeline Property Class" in the Table set out opposite the name of the municipality.

3. Subsection 3 (2) of the Regulation is amended by adding the following paragraph:

8. For 2006, Table 18.

4. Section 9 of the Regulation is amended by adding the following subsection:

(8.1) For 2006, the annual tax rates for school purposes for the purposes of section 257.7 of the Act for a municipality set out in Table 17 are the following rates for the following classes of property:

1. For the commercial classes other than the resort condominium property class, the annual tax rate is the rate in the column entitled "Commercial Property Class" in the Table set out opposite the name of the municipality.
2. For the resort condominium property class, the annual tax rate is the rate set out in subsection 1 (1) for residential property.
3. For the industrial classes, the annual tax rate is the rate set out in the column entitled "Industrial Property Class" in the Table set out opposite the name of the municipality.

5. (1) Paragraph 1 of subsection 9 (9) of the Regulation is amended by striking out "determined under subsection (8)" in the portion before subparagraph i.

(2) Subsection 9 (13) of the Regulation is revoked.

6. Section 10 of the Regulation is amended by adding the following subsection:

(4) Subsections 9 (9), (10) and (11) do not apply in determining the annual tax rates for school purposes for the City of Hamilton for 2004, 2005 and 2006 for the purposes of section 257.7 of the Act.

7. Section 13 of the Regulation is amended by striking out "Table 15" at the end and substituting "Tables 15 and 17".

8. The Regulation is amended by adding the following Tables:

TABLE 17
TAX RATES FOR BUSINESS PROPERTIES IN MUNICIPALITIES FOR 2006

| Municipality | Tax Rate — Expressed as a Fraction of Assessed Value | | |
|-----------------------------------|--|---------------------------|-------------------------|
| | Commercial Property Class | Industrial Property Class | Pipeline Property Class |
| Alberton, Township of | 0.00997035 | 0.00748460 | 0.05041593 |
| Armour, Township of | 0.00883696 | 0.00383224 | 0.00692227 |
| Armstrong, Township of | 0.01731553 | 0.01934493 | 0.01241394 |
| Assiginack, Township of | 0.01142233 | 0.00858747 | |
| Atikokan, Township of | 0.02971442 | 0.02413144 | 0.02908691 |
| Baldwin, Township of | 0.01317725 | 0.00596684 | 0.01163148 |
| Barrie Island, Township of | 0.00611094 | 0.01018575 | |
| Barrie, City of | 0.01558187 | 0.01635160 | 0.01295356 |
| Belleville, City of | 0.02134018 | 0.02396066 | 0.01605869 |
| Billings, Township of | 0.00896684 | 0.01426662 | |
| Black River-Matheson, Township of | 0.02251059 | 0.01971479 | 0.01020621 |
| Blind River, Town of | 0.02607343 | 0.02237517 | 0.02226462 |
| Bonfield, Township of | 0.01327791 | 0.01455214 | 0.00826202 |
| Brant, County of | 0.01861475 | 0.02635883 | 0.01940906 |
| Brantford, City of | 0.02023637 | 0.02821203 | 0.01612154 |
| Brethour, Township of | | | 0.02797172 |
| Brockville, City of | 0.02250762 | 0.02286299 | 0.01600516 |
| Bruce, County of | 0.01385620 | 0.02159319 | 0.01140825 |
| Bruce Mines, Town of | 0.01321101 | 0.01764208 | 0.00769774 |

| Municipality | Tax Rate — Expressed as a Fraction of Assessed Value | | |
|------------------------------------|--|------------------------------|----------------------------|
| | Commercial Property Class | Industrial Property Class | Pipeline Property Class |
| Burk's Falls, Village of | 0.01255810 | 0.01637914 | 0.01194827 |
| Burpee and Mills, Township of | 0.00675657 | | |
| Callander, Municipality of | 0.01501980 | 0.01615465 | 0.01204943 |
| Calvin, Township of | 0.00662340 | 0.01762156 | 0.01167556 |
| Carling, Township of | 0.00641167 | 0.01014235 | |
| Casey, Township of | 0.01113605 | 0.03001557 | |
| Central Manitoulin, Township of | 0.00918382 | 0.01127311 | |
| Chamberlain, Township of | 0.00425779 | 0.00522605 | 0.01217728 |
| Chapleau, Township of | 0.01504108 | 0.01403516 | |
| Chapple, Township of | 0.00656732 | 0.00752392 | 0.05361143 |
| Charlton and Dack, Municipality of | 0.01579023 | 0.01597576 | 0.01186225 |
| Chatham-Kent, Municipality of | 0.01961540 | 0.02860238 | 0.01741858 |
| Chisholm, Township of | 0.00906364 | 0.00469440 | |
| Cobalt, Town of | 0.02514950 | | 0.01434623 |
| Cochrane, Town of | 0.02160852 | 0.01344791 | 0.00956148 |
| Cockburn Island, Township of | | | |
| Coleman, Township of | 0.01915505 | 0.03689927 | 0.01319116 |
| Conmee, Township of | 0.01346762 | 0.01313154 | |
| Cornwall, City of | 0.02420983 | 0.02949042 | 0.01835557 |
| Dawson, Township of | 0.02485137 | 0.00843102 | 0.03157062 |
| Dorion, Township of | 0.03046472 | | 0.02945025 |
| Dryden, City of | 0.01611845 | 0.03516239 | 0.01533603 |
| Dubreuilville, Township of | 0.01975300 | 0.02647587 | |
| Dufferin, County of | 0.01377850 | 0.02276880 | 0.01003718 |
| Durham, Region of | 0.01487553 | 0.02057314 | 0.01586577 |
| Ear Falls, Township of | 0.02046033 | 0.03140062 | 0.02695007 |
| East Ferris, Township of | 0.01019350 | 0.01323519 | 0.01971794 |
| Elgin, County of | 0.01440427 | 0.03229206 | 0.01213438 |
| Elliot Lake, City of | 0.02474569 | 0.02827574 | 0.00998754 |
| Emo, Township of | 0.01425849 | 0.01936529 | 0.04253497 |
| Englehart, Town of | 0.01688133 | 0.02402696 | 0.01966272 |
| Espanola, Town of | 0.01986665 | 0.03325578 | 0.01830687 |
| Essex, County of | 0.01541255 | 0.02496842 | 0.01942108 |
| Evanturel, Township of | 0.01305448 | 0.01035350 | 0.01324158 |
| Fauquier-Strickland, Township of | 0.01706989 | 0.01300856 | 0.00833858 |
| Fort Frances, Town of | 0.02465271 | 0.02192829 | 0.02109335 |
| French River, Municipality of | 0.01536043 | 0.01958231 | |
| Frontenac, County of | 0.01838348 | 0.02146509 | |
| Gananoque, Separated Town of | 0.02078630 | 0.02815196 | 0.01440965 |
| Gauthier, Township of | 0.01317948 | 0.01036665 | |
| Gillies, Township of | 0.01499333 | 0.01078387 | |
| Gordon, Township of | 0.01356845 | 0.00648623 | |
| Gore Bay, Town of | 0.01412498 | 0.00973844 | |
| Greenstone, Municipality of | 0.01482087 | 0.02263336 | 0.00374702 |
| Grey, County of | 0.01854276 | 0.02670975 | 0.01583249 |
| Guelph, City of | 0.01928820 | 0.02620833 | 0.02243857 |
| Haldimand, County of | 0.01826610 | 0.02574612 | 0.01949953 |
| Haliburton, County of | 0.01274688 | 0.01277204 | |
| Halton, Region of | 0.01374657 | 0.01929620 | 0.01402694 |
| Hamilton, City of | 0.01786263 | 0.01786263 | 0.01440769 |
| Harley, Township of | 0.01517404 | 0.02612224 | |
| Harris, Township of | 0.01716039 | 0.01219403 | 0.01293067 |
| Hastings, County of | 0.01180940 | 0.01477738 | 0.01265321 |
| Hearst, Town of | 0.01140754 | 0.01602264 | 0.00878308 |
| Hilliard, Township of | | | 0.03215425 |
| Hilton Beach, Village of | 0.01279747 | 0.01396500 | |
| Hilton, Township of | 0.01147741 | 0.00374522 | |
| Hornepayne, Township of | 0.01324204 | 0.01556541 | |
| Hudson, Township of | 0.01751580 | 0.01272845 | 0.00695719 |

| Municipality | Tax Rate — Expressed as a Fraction of Assessed Value | | |
|--|--|------------------------------|----------------------------|
| | Commercial Property Class | Industrial Property Class | Pipeline Property Class |
| Huron Shores, Municipality of | 0.01882104 | 0.01365684 | 0.01435166 |
| Huron, County of | 0.01237468 | 0.01428246 | 0.00517095 |
| Ignace, Township of | 0.01602943 | 0.01136657 | 0.01226209 |
| Iroquois Falls, Town of | 0.02103264 | 0.02750775 | 0.00982455 |
| James, Township of | 0.02996421 | 0.01625893 | |
| Jocelyn, Township of | 0.01247232 | 0.00918098 | |
| Johnson, Township of | 0.01410888 | | 0.00866607 |
| Joly, Township of | 0.01216388 | | |
| Kapuskasing, Town of | 0.02146793 | 0.03190976 | 0.00957759 |
| Kawartha Lakes, City of | 0.01558070 | 0.02292347 | 0.02105069 |
| Kearney, Town of | 0.00861678 | 0.00787688 | |
| Kenora, City of | 0.01810631 | 0.03098329 | 0.01260183 |
| Kerns, Township of | 0.00862159 | | 0.01042628 |
| Killarney, Municipality of | 0.00841095 | 0.01363752 | |
| Kingston, City of | 0.01980700 | 0.02676329 | 0.01791960 |
| Kirkland Lake, Town of | 0.02828402 | 0.02365599 | 0.01239079 |
| La Vallee, Township of | 0.01201546 | 0.01694547 | 0.05717196 |
| Laird, Township of | 0.01448083 | 0.00862662 | |
| Lake of The Woods, Township of | 0.01309458 | | |
| Lambton, County of | 0.01908922 | 0.02900024 | 0.01470690 |
| Lanark, County of | 0.01696191 | 0.02840316 | 0.01988507 |
| Larder Lake, Township of | 0.01858262 | 0.01211063 | |
| Latchford, Town of | 0.02878288 | | 0.01658351 |
| Leeds and Grenville, County of | 0.01662825 | 0.03117031 | 0.01903081 |
| Lennox and Addington, County of | 0.01930242 | 0.03125082 | 0.01545450 |
| London, City of | 0.02439323 | 0.02879565 | 0.01993355 |
| Macdonald, Mercedith and Aberdeen, Additional, Township of | 0.01366180 | 0.01161570 | 0.01206539 |
| Machar, Township of | 0.01100492 | 0.00505559 | 0.00809081 |
| Machin, Township of | 0.01305847 | 0.00693647 | 0.01640413 |
| Magnetawan, Municipality of | 0.00903943 | 0.00719965 | |
| Manitouwadge, Township of | 0.02661872 | 0.03410345 | |
| Marathon, Town of | 0.02082948 | 0.02041600 | |
| Markstay-Warren, Municipality of | 0.01233759 | 0.00869094 | 0.03333595 |
| Matachewan, Township of | 0.02074480 | 0.02814226 | |
| Mattawa, Town of | 0.01449790 | 0.02270467 | 0.01306535 |
| Mattawan, Township of | 0.01975300 | | 0.02581315 |
| Mattice-Val Cote, Township of | 0.01727985 | 0.02767907 | 0.00511370 |
| McDougall, Township of | 0.00792463 | 0.01749650 | |
| McGarry, Township of | 0.01537909 | 0.00400204 | |
| McKellar, Township of | 0.00848906 | 0.01042543 | |
| McMurrich/Monteith, Township of | 0.01187672 | 0.00390740 | 0.00123907 |
| Michipicoten, Township of | 0.02220734 | 0.01746905 | |
| Middlesex, County of | 0.01618668 | 0.02272981 | 0.01673417 |
| Moonbeam, Township of | 0.02678543 | 0.01422329 | 0.01304074 |
| Moosonee, Town of | 0.00768391 | 0.01452463 | |
| Morley, Township of | 0.01294758 | 0.00474741 | 0.05720290 |
| Muskoka, District of | 0.00791029 | 0.00971467 | 0.00534930 |
| Nairn and Hyman, Township of | 0.02229562 | 0.02583042 | 0.03718447 |
| Neebing, Municipality of | 0.00567111 | | 0.06059213 |
| Niagara, Region of | 0.01592891 | 0.02791562 | 0.01532030 |
| Nipigon, Township of | 0.02614613 | 0.01603163 | 0.01822352 |
| Nipissing, Township of | 0.01216945 | 0.00242176 | |
| Norfolk, County of | 0.01935797 | 0.02629810 | 0.01789314 |
| North Bay, City of | 0.02299435 | 0.01864415 | 0.01289792 |
| Northeastern Manitoulin and the Islands, Town of | 0.01135424 | 0.01293836 | |
| Northumberland, County of | 0.01967848 | 0.03310856 | 0.01640198 |
| O'Connor, Township of | 0.01307607 | 0.01064871 | |
| Oliver and Paipoonge, Township of | 0.01849464 | 0.02936645 | 0.01776760 |
| Opasatika, Township of | 0.01309338 | 0.01461796 | 0.00639791 |

| Municipality | Tax Rate — Expressed as a Fraction of Assessed Value | | |
|--|--|------------------------------|----------------------------|
| | Commercial Property Class | Industrial Property Class | Pipeline Property Class |
| Orillia, City of | 0.01708501 | 0.02062484 | 0.02439079 |
| Ottawa, City of | 0.01808351 | 0.02151519 | 0.01722741 |
| Oxford, County of | 0.02060039 | 0.02926967 | 0.01295267 |
| Papineau-Cameron, Township of | 0.01062388 | 0.01682234 | 0.00708660 |
| Parry Sound, Town of | 0.00904170 | 0.00769393 | 0.01417599 |
| Peel, Region of | 0.01553938 | 0.01781118 | 0.01616850 |
| Pelee, Township of | 0.01475949 | 0.01308286 | |
| Pembroke, City of | 0.02112544 | 0.02963558 | 0.01190104 |
| Perry, Township of | 0.01092183 | 0.00791968 | 0.00793242 |
| Perth, County of | 0.01473139 | 0.02251503 | 0.01805910 |
| Peterborough, City of | 0.01959995 | 0.02888964 | 0.01431035 |
| Peterborough, County of | 0.01437790 | 0.02341776 | 0.01358805 |
| Pickle Lake, Township of | 0.00647481 | 0.00113176 | |
| Plummer, Additional, Township of | 0.01218712 | 0.01673055 | 0.00997801 |
| Powassan, Municipality of | 0.01097084 | 0.01285461 | 0.01052330 |
| Prescott and Russell, County of | 0.01627081 | 0.02538861 | 0.01336388 |
| Prescott, Separate Town of | 0.01830619 | 0.02967344 | 0.01545734 |
| Prince Edward, County of | 0.00935868 | 0.02049009 | 0.00621599 |
| Prince, Township of | 0.01764487 | 0.01505653 | |
| Quinte West, City of | 0.01892603 | 0.02499468 | 0.01565232 |
| Rainy River, Town of | 0.01984613 | 0.02041600 | 0.02731759 |
| Red Lake, Municipality of | 0.02095945 | 0.02887821 | |
| Red Rock, Township of | 0.01761318 | 0.03492244 | 0.01475050 |
| Renfrew, County of | 0.01797244 | 0.02896717 | 0.01426809 |
| Ryerson, Township of | 0.00934511 | 0.01172390 | |
| Sable-Spanish Rivers, Township of | 0.01644131 | 0.01252909 | |
| Sault Ste. Marie, City of | 0.02077340 | 0.02972010 | 0.01736568 |
| Schreiber, Township of | 0.03131461 | | |
| Seguin, Township of | 0.00711588 | 0.01293642 | 0.01285867 |
| Shedden, Township of | 0.01720416 | 0.01684752 | |
| Shuniah, Township of | 0.03113323 | 0.03564184 | 0.02879373 |
| Simcoe, County of | 0.01588125 | 0.02457327 | 0.01746832 |
| Sioux Lookout, Municipality of | 0.01549601 | 0.02773702 | |
| Sioux Narrows-Nestors Falls, Township of | 0.01307030 | 0.00857679 | |
| Smiths Falls, Separated Town of | 0.02174263 | 0.02709134 | 0.01607020 |
| Smooth Rock Falls, Town of | 0.02229578 | 0.02526031 | 0.01199524 |
| South Algonquin, Township of | 0.00600649 | 0.00854847 | |
| South River, Village of | 0.01133393 | 0.00780996 | 0.00458991 |
| St. Joseph, Township of | 0.00891436 | 0.01100555 | |
| St. Marys, Separated Town of | 0.01374948 | 0.02504645 | 0.01623770 |
| St. Thomas, City of | 0.01968051 | 0.03011492 | 0.01052247 |
| St. Charles, Municipality of | 0.00727572 | | 0.02791990 |
| Stormont, Dundas and Glengarry, County of | 0.02031023 | 0.02922874 | 0.01411235 |
| Stratford, City of | 0.02283295 | 0.02968127 | 0.01404183 |
| Strong, Township of | 0.00884516 | 0.01234105 | 0.00748353 |
| Sudbury, City of Greater | 0.01984045 | 0.02824530 | 0.01558012 |
| Sundridge, Village of | 0.01074282 | 0.00972211 | 0.00792298 |
| Tarbutt and Tarbutt, Additional, Township of | 0.01320598 | 0.01646386 | |
| Tehkummah, Township of | 0.01180486 | 0.01063354 | |
| Temagami, Municipality of | 0.01975853 | 0.02874750 | 0.01165876 |
| Temiskaming Shores, Town of | 0.02496255 | 0.02248173 | 0.01000239 |
| Terrace Bay, Township of | 0.02971592 | 0.03139107 | |
| The Archipelago, Township of | 0.00754526 | 0.00929742 | |
| The North Shore, Township of | 0.02569036 | 0.01995049 | |
| Thessalon, Town of | 0.01442528 | 0.01482585 | 0.00764095 |
| Thornloe, Village of | 0.01109019 | 0.01902573 | |
| Thunder Bay, City of | 0.02575095 | 0.03559480 | 0.02405676 |
| Timmins, City of | 0.02296319 | 0.02965867 | 0.02238978 |
| Toronto, City of | 0.01975821 | 0.02059907 | 0.01802637 |

| Municipality | Tax Rate — Expressed as a Fraction of Assessed Value | | |
|---------------------------------|--|------------------------------|----------------------------|
| | Commercial Property Class | Industrial Property Class | Pipeline Property Class |
| Val Rita-Harty, Township of | 0.01937617 | 0.02041600 | 0.00827691 |
| Waterloo, Region of | 0.02041494 | 0.02616890 | 0.01307800 |
| Wellington, County of | 0.01319713 | 0.02365824 | 0.02022939 |
| West Nipissing, Municipality of | 0.01366638 | 0.01799682 | 0.02118847 |
| White River, Township of | 0.02673789 | 0.01851790 | |
| Whitestone, Municipality of | 0.00790551 | 0.00722464 | |
| Windsor, City of | 0.01825626 | 0.03043873 | 0.01864664 |
| York, Region of | 0.01492897 | 0.01658072 | 0.01756056 |

TABLE 18

TAX RATES FOR BUSINESS PROPERTIES IN UNATTACHED UNORGANIZED TERRITORIES FOR 2006

| Territory | Tax Rate — Expressed as a Fraction of Assessed Value | | |
|---|--|------------------------------|----------------------------|
| | Commercial Property Class | Industrial Property Class | Pipeline Property Class |
| Nipissing, District of | | | |
| Timiskaming Board of Education | 0.01181962 | | 0.01370354 |
| Nipissing Combined School Boards | 0.01190746 | 0.01546860 | 0.02536430 |
| Parry Sound, District of | | | |
| South River Township School Authority | 0.00976150 | | |
| West Parry Sound Board of Education | 0.00790556 | 0.00649560 | |
| East Parry Sound Board of Education | 0.01209861 | 0.02097425 | 0.01214080 |
| Manitoulin, District of | | | |
| Manitoulin Locality Education | 0.01104099 | 0.00983112 | |
| Sudbury, District of | | | |
| Sudbury Locality Education | 0.01758806 | 0.02165927 | |
| Espanola Locality Education | 0.01388405 | 0.00712941 | |
| Chapleau Locality Education | 0.00964396 | 0.01275100 | |
| Foleyet DSA Locality Education | 0.01048025 | | |
| Gogama DSA Locality Education | 0.00819532 | | |
| Asquith Garvey DSA Locality Education | 0.00551335 | 0.01489127 | |
| Missarenda DSA Locality Education | 0.00594083 | 0.00306706 | |
| Timiskaming, District of | | | |
| Kirkland Lake Locality Education | 0.02166638 | 0.03182449 | 0.01715603 |
| Timiskaming Locality Education | 0.02294372 | 0.03227996 | 0.01650909 |
| Cochrane, District of | | | |
| Hearst Locality Education | 0.00972236 | 0.00900163 | 0.00631502 |
| Kap SRF and District Locality Education | 0.01798764 | 0.00416188 | 0.00830429 |
| Cochrane-Iroquois Falls Locality Education | 0.01289745 | 0.02041600 | 0.00863516 |
| James Bay Lowlands Locality Education | 0.02082999 | | |
| Algoma, District of | | | |
| Sault Ste. Marie Locality Education | 0.02388249 | 0.02590526 | 0.01540873 |
| Thunder Bay, District of | | | |
| Allanwater DSA Locality Education | 0.00058935 | | |
| Nipigon Red Rock Locality Education | 0.00369409 | | 0.01837452 |
| Lake Superior Locality Education | 0.02598434 | 0.01922123 | |
| Lakehead Locality Education | 0.01803069 | 0.03570525 | 0.02675236 |
| Auden DSA Locality Education | 0.00580102 | | |
| Ferland DSA Locality Education | 0.00708982 | | |
| Armstrong DSA Locality Education | 0.00689808 | | |
| Savant Lake DSA Locality Education | 0.00627864 | | |
| Upsala DSA Locality Education | 0.00670301 | 0.00439392 | 0.00329879 |
| Rainy River, District of | | | |
| Fort Frances/Rainy River Locality Education (assessment roll numbers beginning with "5902") | 0.00937141 | 0.01327601 | |
| Fort Frances/Rainy River Locality Education (assessment roll numbers beginning with "5903") | 0.00787297 | 0.00939845 | |
| Mine Centre DSA Locality Education | 0.00345772 | 0.00243272 | |
| Atikokan Locality Education | 0.01914037 | 0.02925163 | 0.07628962 |

| Territory | Tax Rate — Expressed as a Fraction of Assessed Value | | |
|---|--|------------------------------|----------------------------|
| | Commercial Property Class | Industrial Property Class | Pipeline Property Class |
| Kenora, District of | | | |
| Summer Beaver DSA Locality Education | 0.00153702 | | |
| Kenora Locality Education | 0.01886968 | 0.01481015 | 0.02384782 |
| Dryden Locality Education (assessment roll numbers beginning with "6060") | 0.01124528 | 0.01420203 | 0.01808944 |
| Keewatin-Patricia District Locality Education | 0.01071408 | | |
| Dryden Locality Education (assessment roll numbers beginning with "6093") | 0.01658669 | | 0.01639209 |
| Red Lake Locality Education | 0.01151189 | 0.01635038 | 0.01830566 |
| Dryden Locality Education (assessment roll numbers beginning with "6096") | 0.01320394 | 0.00903887 | 0.02001528 |
| Sturgeon Lake Locality Education | 0.00568333 | | |

Made by:

DWIGHT DUNCAN
Minister of Finance

Date made: March 30, 2006.

15/06

ONTARIO REGULATION 99/06

made under the

PENSION BENEFITS ACT

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STELCO INC. PENSION PLANS

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INTERPRETATION

Interpretation

1. (1) In this Regulation,

“adjusted solvency deficiency” means, in relation to a pension plan, the amount, if any, by which the solvency liabilities of the plan in respect of the original benefits exceed the solvency assets of the plan in respect of the original benefits as set out in a report submitted for the plan to the Superintendent under this Regulation;

“benefit improvements” means, in relation to a pension plan, benefit improvements described in subsection (3);

“General Regulation” means Regulation 909 of the Revised Regulations of Ontario, 1990 (General) made under the Act;

“Hamilton Hourly Plan” means the Stelco Inc. Bargaining Unit Pension Plan for Members of United Steelworkers of America, registered under the Act as number 354878;

“Hamilton Salaried Plan” means the Stelco Inc. and Participating Subsidiaries Retirement Plan for Salaried Employees, registered under the Act as number 338509;

“initial solvency deficiency” means, in relation to a pension plan, the amount, if any, by which the solvency liabilities of the plan exceed the solvency assets of the plan as set out in the initial report required by section 10;

“Lake Erie Hourly Plan” means the Stelco Inc. Bargaining Unit Pension Plan for Lake Erie Steel Company Members of United Steelworkers of America, registered under the Act as number 698761;

“Lake Erie Salaried Plan” means the Stelco Inc. Retirement Plan for Lake Erie Steel Company Salaried Employees, registered under the Act as number 698753;

“original benefits” means, in relation to a pension plan, the pensions, pension benefits and ancillary benefits provided under the plan, effective on or before December 31, 2005, that, when valued, give rise to the going concern liabilities and the solvency liabilities of the plan as set out in the reports required by sections 10 and 11;

“participating pension plan” means a pension plan that is a participating pension plan as determined under section 2;

“special payment” means, in relation to benefit improvements under a participating pension plan, a payment determined in accordance with section 7 and, in relation to wind up benefits, a payment determined in accordance with section 8;

“wind up benefits” means, in relation to a pension plan, any benefits referred to in clauses (a) to (h) of the definition of “solvency liabilities” in subsection 1 (2) of the General Regulation which are payable on the wind up of a pension plan, in whole or in part, and which are excluded from the calculation of the solvency liabilities disclosed in any of the reports filed under sections 10 and 11.

(2) Expressions in this Regulation have the same meaning as in the General Regulation, except where otherwise indicated.

(3) For the purposes of this Regulation, benefit improvements are made under a pension plan if an amendment to the plan affects the pensions, pension benefits or ancillary benefits provided by the plan and increases the amount of the normal cost, the going concern liabilities or the solvency liabilities of the plan and if the amendment is filed or takes effect after December 31, 2005.

(4) In this Regulation, a reference to an amount with respect to a pension plan, such as the normal cost or the adjusted solvency deficiency, is a reference to the amount as set out in the applicable report submitted to the Superintendent under this Regulation.

(5) For the purposes of this Regulation,

- (a) the special payments determined under paragraph 3 of subsection 14 (4) of this Regulation are deemed to be special payments determined in accordance with clause 5 (1) (b) of the General Regulation; and
- (b) the special payments determined under paragraph 3 of subsection 14 (5) of this Regulation are deemed to be special payments determined in accordance with clause 5 (1) (e) of the General Regulation.

PARTICIPATING PENSION PLANS

Status as participating pension plan

2. (1) The Hamilton Hourly Plan, the Hamilton Salaried Plan, the Lake Erie Hourly Plan and the Lake Erie Salaried Plan, respectively, are each a participating pension plan until the earlier of,

- (a) December 31, 2015; and
- (b) the day that is 90 days after the day on which the administrator submits a report in respect of the plan to the Superintendent under section 12 indicating,
 - (i) that the plan does not have any adjusted solvency deficiency, and
 - (ii) that reports submitted under section 12 in respect of all the other participating pension plans also indicate that none of those plans has any adjusted solvency deficiency.

(2) Despite subsection (1), if the administrator submits a report described in clause (1) (b) and if, within the 90-day period described in that clause, the Superintendent issues a notice of proposal to make an order under subsection 88 (2) of the Act with respect to any of the reports referred to in clause (1) (b), the pension plan continues to be a participating pension plan until the earlier of,

- (a) December 31, 2015; and
- (b) 60 days after the earliest of,
 - (i) the date on which the proposal is finally determined and is not subject to any further appeal to or review by a tribunal or court, but only if, as a result of the final determination of the proposal, it is concluded that the plan has no adjusted solvency deficiency in relation to the original benefits,
 - (ii) the date on which a settlement is reached in respect of the proposal and, as a result of the settlement, it is concluded that the plan has no adjusted solvency deficiency in relation to the original benefits, or
 - (iii) the date on which the notice of proposal is withdrawn.

(3) Despite subsection (1), if the employer gives a written notice to the Superintendent stating that a participating pension plan ceases to be a participating pension plan, and if the employer is otherwise authorized by an agreement to give such a notice to the Superintendent, the plan ceases to be a participating pension plan on the later of,

- (a) the date on which the Superintendent receives the notice; and
- (b) the date specified in the notice as the date on which the plan ceases to be a participating pension plan.

CONTRIBUTIONS AND OTHER PAYMENTS

Initial contribution in 2006

3. (1) An aggregate initial contribution of \$400 million is to be made to all of the participating pension plans for the original benefits, and the \$400 million shall be allocated among the plans in accordance with this section.

(2) On or before March 31, 2006, the employer or a person required to make contributions on behalf of the employer shall pay into the pension fund of a participating pension plan the amount calculated using the formula,

$$(A \times B/C) - D$$

in which,

“A” is \$400 million,

“B” is the amount of the initial solvency deficiency of the plan,

“C” is the aggregate amount of the initial solvency deficiency of each of the participating pension plans, and

“D” is the aggregate amount of all contributions, if any, paid into the pension fund of the plan on or after January 1, 2006 and before April 1, 2006 excluding amounts paid in respect of a prior year of the plan and excluding amounts paid under this section.

(3) In the formula set out in subsection (2), the amount represented by the expression “B/C” is to be calculated to four decimal places.

Monthly payments in 2006

4. (1) An aggregate contribution of \$32.5 million is to be made to all of the participating pension plans for the original benefits for the period beginning on July 1, 2006 and ending on December 31, 2006, and the \$32.5 million shall be allocated among the plans in accordance with this section.

(2) The employer or a person required to make contributions on behalf of the employer shall pay into the pension fund of a participating pension plan for the period from July 1 to December 31, 2006 the amount calculated using the formula,

$$E \times F/G$$

in which,

“E” is \$32.5 million,

“F” is the amount of the adjusted solvency deficiency of the plan, and

“G” is the aggregate amount of the adjusted solvency deficiency of each of the participating pension plans.

(3) Despite subsection (2), if the aggregate amount of the normal cost of each of the plans for the original benefits for the period from July 1 to December 31, 2006 is greater than or equal to \$32.5 million, the employer or a person required to make contributions on behalf of the employer shall pay into the pension fund of a participating pension plan for the period from July 1 to December 31, 2006 the amount calculated using the formula,

$$E \times H/I$$

in which,

“E” is \$32.5 million,

“H” is the amount of the normal cost of the plan for the original benefits for the period, and

“I” is the aggregate amount of the normal cost of each of the participating pension plans for the original benefits for the period.

(4) Despite subsection (2), if the aggregate amount of the normal cost of each of the plans for the original benefits for the period from July 1 to December 31, 2006 is less than \$32.5 million, and if the normal cost of one or more of the plans (an “affected plan”) for the original benefits for the period is greater than the amount that would be payable under subsection (2) into the pension fund of the affected plan, the employer or a person required to make contributions on behalf of the employer shall pay into the pension fund of a participating pension plan the amount determined in accordance with the following rules:

1. The amount payable into the pension fund of each affected plan is the amount of the normal cost of the plan for the original benefits for the period.
2. The total amount available to be allocated to the plans which are not affected plans is calculated by subtracting from \$32.5 million the total amount payable under paragraph 1 to the affected plans.
3. The amount payable into the pension fund of each of the plans which are not affected plans is calculated using the formula,

$$J \times F/K$$

in which,

“J” is the total amount available to be allocated to the plans which are not affected plans as calculated under paragraph 2,

“F” is the amount of the adjusted solvency deficiency of the plan, and

“K” is the aggregate amount of the adjusted solvency deficiency of each of the plans which are not affected plans.

(5) In the formulas set out in subsections (2), (3) and (4), the amounts represented by the expressions “F/G”, “H/I” and “F/K” are to be calculated to four decimal places.

(6) The amount payable into a pension fund under subsection (2), (3) or (4) is payable in six equal instalments and payment is due on the last day of each month beginning with July 2006 and ending with December 2006.

Monthly payments, 2007 to 2010

5. (1) An annual aggregate contribution of \$65 million is to be made to all of the participating pension plans for the original benefits for each year beginning with 2007 and ending with 2010, and the \$65 million shall be allocated among the plans in accordance with this section.

(2) If the aggregate amount of the year’s adjusted normal cost of each of the plans is equal to or greater than \$65 million, the employer or a person required to make contributions on behalf of the employer shall pay into the pension fund of a participating pension plan for a year the amount calculated using the formula,

$$L \times M/N$$

in which,

“L” is \$65 million,

“M” is the amount of the year’s adjusted normal cost of the plan, and

“N” is the aggregate amount of the year’s adjusted normal cost of each of the participating pension plans.

(3) If the aggregate amount of the year’s adjusted normal cost of each of the plans is less than \$65 million, the employer or a person required to make contributions on behalf of the employer shall pay into the pension fund of a participating pension plan for a year the amount calculated using the formula,

$$L \times P/Q$$

in which,

“L” is \$65 million,

“P” is the amount of the preceding year’s adjusted solvency deficiency of the plan, and

“Q” is the aggregate amount of the preceding year’s adjusted solvency deficiency of each of the participating pension plans.

(4) Despite subsection (3), if the aggregate amount of the year’s adjusted normal cost of each of the plans is less than \$65 million and if the year’s adjusted normal cost of one or more of the plans (an “affected plan”) is greater than the amount that would be payable under subsection (3) into the pension fund of the affected plan, the employer or a person required to make contributions on behalf of the employer shall pay into the pension fund of a participating pension plan the amount determined in accordance with the following rules:

1. The amount payable into the pension fund of each affected plan is the amount of the year’s adjusted normal cost of the plan.
2. The total amount available to be allocated to the plans which are not affected plans is calculated by subtracting from \$65 million the total amount payable under paragraph 1 to the affected plans.
3. The amount payable into the pension fund of each of the plans which are not affected plans is calculated using the formula,

$$R \times P/S$$

in which,

“R” is the total amount available to be allocated to the plans which are not affected plans as calculated under paragraph 2,

“P” is the amount of the preceding year’s adjusted solvency deficiency of the plan, and

“S” is the aggregate amount of the preceding year’s adjusted solvency deficiency of each of the plans which are not affected plans.

(5) In the formulas set out in subsections (2), (3) and (4), the amounts represented by the expressions “M/N”, “P/Q” and “P/S” are to be calculated to four decimal places.

(6) The amount payable into a pension fund under subsection (2), (3) or (4) for a year is payable in 12 equal instalments, and payment is due on the last day of each month of the year.

(7) In this section,

“preceding year’s adjusted solvency deficiency” means, with respect to a participating pension plan, the adjusted solvency deficiency as set out in the report with a valuation date of December 31 of the preceding year that is submitted for the plan to the Superintendent under section 11;

“year’s adjusted normal cost” means, with respect to a participating pension plan, the amount by which “T” exceeds “U”, where,

“T” is the normal cost for the year for the original benefits as set out in the report with a valuation date of December 31 of the preceding year that is submitted for the plan to the Superintendent under section 11, and

“U” is the amount that is the lesser of,

- (a) the amount by which the market value of the assets exceeds the going concern liabilities with respect to the original benefits, as set out in the same report, and
- (b) the amount by which the solvency assets exceed the solvency liabilities with respect to the original benefits, as set out in the same report.

Monthly payments, 2011 to 2015

6. (1) An aggregate annual contribution of \$70 million is to be made to all of the participating pension plans for the original benefits for each year beginning with 2011 and ending with 2015, and the \$70 million shall be allocated among the plans in accordance with this section.

(2) The employer or a person required to make contributions on behalf of the employer shall pay into the pension fund of a participating pension plan for a year the amount calculated in accordance with subsections 5 (2) to (7), read as if every reference to \$65 million in those subsections were a reference to \$70 million.

Contributions, etc., for benefit improvements

7. (1) This section applies if a participating pension plan is amended to provide benefit improvements.

(2) The employer or a person required to make contributions on behalf of the employer shall pay into the pension fund of the plan the contributions and other payments that the employer would be required to make under the General Regulation, determined as if the benefit improvements alone were being provided by the pension plan.

(3) The amount of the contributions and other payments required by subsection (2) is the amount set out in the schedule respecting the benefit improvements that is set out in the applicable report to the Superintendent submitted under this Regulation.

Contributions, etc., for wind up benefits

8. (1) This section applies if a participating pension plan is being wound up in whole or in part.

(2) For the purposes of subsection 75 (2) of the Act, the following rules prescribe the manner in which and the times when the employer is required to pay the money due under subsection 75 (1) of the Act:

1. The liability for the original benefits payable to members or former members who are affected by the wind up is to be funded in the same manner as the liability for the original benefits in respect of members and former members who are not affected by the wind up.
2. The liability for the benefit improvements, if any, payable to members or former members who are affected by the wind up is to be funded in the same manner as the liability for the benefit improvements for members and former members who are not affected by the wind up.
3. The wind up benefits, if any, payable to members or former members who are affected by the wind up are to be treated as if they were benefit improvements, and the liability for these wind up benefits is to be funded in the same manner as the liability for the benefit improvements for members and former members who are not affected by the wind up.
4. The employer or a person required to make contributions on behalf of the employer shall pay into the pension fund of the plan the payments that the employer would be required to make under section 7, determined as if the benefit improvements and the wind up benefits payable to members or former members who are affected by the wind up were benefit improvements for the members and former members who are not affected by the wind up.

(3) Section 31 of the General Regulation does not apply with respect to the funding of the liabilities described in subsection (2).

Funding following the final report

9. (1) This section applies with respect to a pension plan on and after the valuation date of the final report for the plan under section 12.

(2) The requirements of the General Regulation governing the funding of the pension plan apply on and after the valuation date of the final report, except as otherwise provided in this section, and the plan must be funded in accordance with the information in the appendix to the report.

(3) The following rules apply with respect to the funding requirements:

1. For the purposes of the special payments referred to in clauses 5 (1) (b) and (e) of the General Regulation, the applicable period begins on the valuation date of the final report.
2. The liability for benefits described in section 20 that remains to be funded under section 75 of the Act as of the valuation date must be funded in accordance with section 31 of the General Regulation, with the payments commencing on the valuation date rather than the date of wind up.

(4) If the final report is submitted under subsection 12 (2), the employer or a person required to make contributions on behalf of the employer shall continue to make contributions and payments as required by sections 4 to 8, as applicable, and not in accordance with the General Regulation until the plan ceases to be a participating pension plan.

(5) If the plan ceases to be a participating pension plan before January 1, 2016, any contributions and payments described in subsection (4) that are made after the valuation date of the final report are deemed, for the purposes of section 19, to be contributions and payments that are based on estimates and they are deemed to be contributions and payments made for the purposes of complying with the General Regulation.

REPORTS TO THE SUPERINTENDENT

Initial report

10. (1) The administrator of a participating pension plan shall cause the plan to be reviewed and shall submit to the Superintendent on or before May 1, 2006 an initial report with a valuation date of December 31, 2005.

(2) The initial report must set out the information that is required under subsections 13 (1) and (1.1) of the General Regulation, determined as if the pension plan were newly registered on December 31, 2005.

(3) The initial report must also set out the following information on the basis of a solvency valuation:

1. The amount of the initial solvency deficiency for the plan and for each of the other participating pension plans.
2. The amount of the adjusted solvency deficiency for the plan and for each of the other participating pension plans after taking into account any contribution made under section 3 to each of the plans.
3. The amount of the contribution made under section 3 to the plan and to each of the other participating pension plans.

(4) The initial report must also set out the following information separately for the plan and for each of the other participating pension plans:

1. The information that would be required in a report filed under subsections 13 (1) and (1.1) of the General Regulation, prepared on the basis,
 - i. that section 5.1 of the General Regulation does not apply to the participating plans, and
 - ii. that the initial contribution required under section 3 of this Regulation is not made.
2. The information that would be required in a report filed under subsections 13 (1) and (1.1) of the General Regulation, prepared on the basis,
 - i. that section 5.1 of the General Regulation does not apply to the participating plans, and
 - ii. that the initial contribution required under section 3 of this Regulation is made.
3. The information that would be required in a report filed under subsections 13 (1) and (1.1) of the General Regulation on the basis,
 - i. that section 5.1 of the General Regulation applies to the participating plans, and
 - ii. that the initial contribution required under section 3 of this Regulation is not made.

(5) For the purposes of determining the information required by paragraphs 1 to 3 of subsection (4), the solvency deficiency of the plan is the amount by which the solvency liabilities exceed the solvency assets of the plan on the valuation date.

Annual reports

11. (1) The administrator of a participating pension plan shall cause the plan to be reviewed and shall submit to the Superintendent on or before September 30 in each year, beginning in 2007 and ending in 2015, an annual report with a valuation date of December 31 of the preceding year.

(2) If the plan has not been amended before the valuation date to provide benefit improvements and if it has not been wound up in whole or in part on or before the valuation date, the annual report must set out,

- (a) the information described in subsections 14 (7) and (8) of the General Regulation, determined using actuarial methods that are consistent with those used in the initial report for the plan;
- (b) the adjusted solvency deficiency and the aggregate amount of the adjusted solvency deficiency for each of the participating pension plans; and
- (c) the amount of the payment to the plan required by section 5 or 6, as the case may be, and to each of the other participating pension plans for the year.

(3) The annual report must set out the following information:

1. All gains and losses to the pension plan during the period since the valuation date of the preceding report that result from the difference between the actual experience and the experience expected by the actuarial assumptions on which the preceding report was based.
2. All gains and losses to the pension plan during the period since the valuation date of the preceding report that result from changes in actuarial assumptions since the preceding report.

(4) If the plan has been amended before the valuation date to provide benefit improvements, the annual report must set out the information described in subsection (2) and it must also include a separate schedule setting out all of the information that is described in subsections 14 (7) and (8) of the General Regulation and that has been set out in an earlier report submitted under this section or section 14 of this Regulation with respect to the benefit improvements, but updated to the current valuation date.

(5) If the plan has been wound up in whole or in part before the valuation date, the annual report must set out the information described in subsection (2), and it must also include a separate schedule setting out all of the information that is described in subsections 14 (7) and (8) of the General Regulation with respect to wind up benefits that have been set out in an earlier report submitted under section 70 of the Act, but updated to the current valuation date.

(6) If the annual report includes a schedule respecting benefit improvements or respecting wind up benefits, the following rules apply:

1. The assets and liabilities of the plan in respect of any benefit improvements and wind up benefits must be determined and disclosed separately from the assets and liabilities of the plan that are in respect of the original benefits.
2. The normal cost in respect of the benefit improvements must be disclosed separately from the normal cost of the plan that is not in respect of the benefit improvements; and the normal cost must be determined in a manner that is consistent with the determination made in the interim report filed with respect to the benefit improvements.
3. The going concern unfunded liabilities and solvency deficiencies, if any, in respect of the benefit improvements and wind up benefits at the valuation date must be determined in accordance with the General Regulation with reference to,
 - i. the assets and liabilities determined under paragraph 1, and
 - ii. each of the schedules about benefit improvements or wind up benefits, as the case may be, that was included in the most recent report submitted under this Regulation.
4. The going concern unfunded liabilities or solvency deficiencies, if any, determined under paragraph 3 must be liquidated in accordance with the General Regulation.

Final report

12. (1) The administrator of a participating pension plan shall submit to the Superintendent on or before April 30, 2016 a final report with a valuation date of December 31, 2015 for the purpose of determining whether or not the plan has an adjusted solvency deficiency as of that valuation date.

(2) Despite subsection (1), the administrator of a participating pension plan may, at any time before December 31, 2015, submit to the Superintendent a final report with a valuation date not earlier than 120 days before the date on which the report is submitted that indicates that the plan does not have an adjusted solvency deficiency and that none of the other participating plans has an adjusted solvency deficiency.

(3) Despite subsection (1), the administrator of a pension plan that ceases to be a participating pension plan as a result of a notice given under subsection 2 (3) shall submit to the Superintendent a final report with a valuation date that is the day on which the plan ceases to be a participating pension plan, and shall do so within 120 days after the valuation date.

(4) The final report must include the appendix described in section 13.

(5) The final report must set out the following information:

1. All gains and losses to the pension plan during the period since the valuation date of the preceding report that result from the difference between the actual experience and the experience expected by the actuarial assumptions on which the preceding report was based.
2. All gains and losses to the pension plan during the period since the valuation date of the preceding report that result from changes in actuarial assumptions since the preceding report.

(6) In calculating the amount of the adjusted solvency deficiency, for the purposes of the final report, the following amounts may be included in the solvency assets in respect of the original benefits:

1. Any excess of solvency assets over solvency liabilities in respect of benefit improvements and wind up benefits.
2. Any additional contributions to the plan made by the employer or a person required to make contributions on behalf of the employer.

Appendix to the final report

13. (1) The appendix to a final report for a participating pension plan must satisfy the requirements set out in this section.

(2) The appendix must set out the information respecting the plan that is required under subsections 13 (1) and (1.1) of the General Regulation, determined as if the plan were newly registered on the valuation date of the final report.

(3) The appendix must separately identify any liability for benefits described in section 20 of this Regulation that remains to be funded under section 75 of the Act as of the valuation date of the final report.

Interim reports re benefit improvements

14. (1) If an amendment to a participating pension plan provides for benefit improvements, the administrator of the pension plan shall submit an interim report to the Superintendent within six months after the date on which the amendment is required to be submitted for registration.

- (2) The interim report must contain the information described in subsection 3 (1) of the General Regulation.
- (3) The interim report must include a separate schedule setting out the benefit improvement and setting out the contributions, calculated in accordance with the General Regulation, that are required to provide the benefit improvement.
- (4) The interim report must set out the following information on the basis of a going concern valuation:
 1. The normal cost, if any, in respect of the benefit improvement.
 2. The increase, if any, in the going concern liabilities attributable to the benefit improvement.
 3. The special payments, if any, required to liquidate the amount described in paragraph 2, with interest calculated at the going concern valuation interest rate under the General Regulation, by equal monthly instalments over a period of not more than 15 years beginning on the valuation date of the report.
- (5) The interim report must also set out the following information on the basis of a solvency valuation:
 1. The increase, if any, in the solvency liabilities attributable to the benefit improvement.
 2. The amount, if any, by which the amount described in paragraph 1 exceeds the present value of the special payments described in paragraph 3 of subsection (4) that are scheduled for payment within a period of five years beginning on the valuation date of the interim report, calculated using the same interest rates as those used to calculate the solvency liabilities.
 3. The special payments, if any, required to liquidate the amount described in paragraph 2, calculated using the same interest rates that are used to calculate the solvency liabilities, by equal monthly instalments over a period of not more than five years beginning on the valuation date of the interim report.

Preparation and certification of reports

15. (1) Every report required by this Regulation to be submitted to the Superintendent must be prepared and certified by a person who is authorized under section 15 of the General Regulation to prepare reports and certificates under section 14 of the General Regulation.

(2) A report prepared under this Regulation must satisfy the requirements of the General Regulation, except as otherwise specified by this Regulation.

(3) In the preparation of any report required under this Regulation, other than the preparation of the appendix to a final report, the following are not permitted:

1. The use of an averaging method that stabilizes short-term fluctuations in the market value of the plan assets in the calculation of a "solvency asset adjustment", as that term is defined in subsection 1 (2) of the General Regulation, in a solvency valuation.
2. The use of an averaging method to determine the value of going concern assets for the purposes of a going concern valuation.

(4) All reports submitted under this Regulation for a pension plan, other than the appendix to a final report, must be prepared using actuarial methods that are consistent with those used in the initial report submitted under section 10 for the plan.

(5) Where this Regulation specifies that a report for a participating pension plan (the "reporting plan") must include information about another pension plan, the administrator of the reporting plan is not required to include the information about the other plan if, despite the administrator's best efforts to obtain it, that information is not available to the administrator when the report is due.

GENERAL

Exemptions from Act provisions

16. (1) An employer is exempt, in respect of a participating pension plan, from subsections 57 (3) and (4) of the Act, except with respect to contributions required under section 7 of this Regulation and, on or before the effective date of the wind up of the participating pension plan, with respect to contributions required under sections 4, 5 and 6 of this Regulation.

(2) A person who is required to make a contribution on behalf of an employer does not, solely by virtue of making such a contribution, become subject to any other obligations of an employer under the Act or the General Regulation.

Exemptions from General Regulation provisions

17. A participating pension plan is exempt from the following provisions of the General Regulation until the day that is the earlier of May 1, 2016 or the day on which the plan ceases to be a participating pension plan:

1. Subsections 4 (1) to (4).
2. Sections 7 and 12.

3. Section 14, except where otherwise provided in this Regulation.

Access to reports and other information

18. (1) The administrator of a participating pension plan shall make the following reports and information available to the administrator of every other participating pension plan, to every employer who contributes to any of the participating pension plans and to every person required to make contributions to such a plan on behalf of the employer:

1. Every report submitted to the Superintendent under this Regulation in respect of the plan.
2. Every amendment to the plan.
3. Every notice of proposal issued by the Superintendent under the Act in respect of the plan.

(2) The reports and information referred to in subsection (1) must be made available within 60 days of their filing or issuance, as the case may be.

Payments based on estimates

19. (1) If an employer or a person required to make contributions on behalf of an employer is required to make a payment for a month under this Regulation before a report containing information necessary to calculate the amount of the payment is submitted to the Superintendent, the employer or person shall make the payment based upon estimates made in accordance with this section.

(2) If a payment based upon estimates is higher than the payment calculated using the correct information contained in the report submitted to the Superintendent, the employer or a person required to make contributions on behalf of the employer shall give written notice of the difference to the Superintendent within 90 days after the applicable report is submitted to the Superintendent and, after giving the notice to the Superintendent, the employer or person required to make contributions on behalf of the employer is permitted,

- (a) to deduct the difference from a subsequent payment or payments into the pension fund; or
- (b) to apply for the consent of the Superintendent under subsection 78 (4) of the Act to withdraw the difference.

(3) If a payment based upon estimates is lower than the amount required by the report submitted to the Superintendent, the employer or person required to make contributions on behalf of the employer shall pay the difference into the pension fund within 90 days after the applicable report is submitted to the Superintendent.

(4) Any estimate must be based on the applicable corresponding information that is set out in the most recent prior report submitted to the Superintendent under this Regulation or under section 14 of the General Regulation, whichever applies in the circumstances.

(5) Subsection (4) does not apply with respect to a payment required by section 3 for a participating pension plan and, for the purposes of such a payment, any estimate must be based on the preliminary actuarial valuations as of December 31, 2005 for the participating pension plans that have been prepared by the actuary for the plan.

Restriction on payments during wind up

20. (1) If a participating pension plan is being wound up in whole or in part, the administrator is not permitted to transfer funds from the pension fund of the pension plan for any of the following purposes until the solvency assets in respect of the members and former members who are affected by the wind up are at least equal to the solvency liabilities in respect of the same members and former members:

1. To purchase a life annuity for any person who is entitled to any of the affected benefits.
2. To pay to the pension fund related to another pension plan any portion of the commuted value of a pension or deferred pension in respect of a person who is entitled to any of the affected benefits.
3. To pay into a retirement savings arrangements prescribed for the purposes of clause 42 (1) (b) of the Act any portion of the commuted value of a deferred pension in respect of a person who is entitled to any of the affected benefits.

(2) In subsection (1),

“affected benefits” means the original benefits payable to a member or former member who is affected by the wind up, any benefit improvements payable to a member or former member who is affected by the wind up and any wind up benefits payable to a member or former member who is affected by the wind up.

Revocation

21. This Regulation is revoked on May 2, 2016.

ONTARIO REGULATION 100/06

made under the

PENSION BENEFITS ACT

Made: March 27, 2006

Filed: March 31, 2006

Published on e-Laws: April 3, 2006

Printed in *The Ontario Gazette*: April 15, 2006

Amending Reg. 909 of R.R.O. 1990
(General)

Note: Regulation 909 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Regulation 909 of the Revised Regulations of Ontario, 1990 is amended by adding the following section:

1.1 (1) For the purposes of this Regulation, a report submitted to the Superintendent under the Stelco Pension Plans Regulation is deemed to be a report prepared and filed under section 14 of this Regulation.

(2) For the purposes of this Regulation, a contribution or special payment required under section 7 of the Stelco Pension Plans Regulation is deemed to be a contribution required under section 12 of this Regulation or special payment required under section 5 of this Regulation, as the case may be.

(3) For the purposes of this Regulation, a special payment required under section 8 of the Stelco Pension Plans Regulation is deemed to be a special payment required under section 5 of this Regulation.

(4) In this section,

“Stelco Pension Plans Regulation” means Ontario Regulation 99/06 (Stelco Inc. Pension Plans) made under the Act.

2. The Regulation is amended by adding the following section:

47.4 On and after March 31, 2006, section 5.1 of this Regulation does not apply with respect to the following pension plans and they are no longer qualifying plans under section 5.1:

1. Stelco Inc. Bargaining Unit Pension Plan for Members of United Steelworkers of America, registered under the Act as number 354878.
2. Stelco Inc. and Participating Subsidiaries Retirement Plan for Salaried Employees, registered under the Act as number 338509.
3. Stelco Inc. Bargaining Unit Pension Plan for Lake Erie Steel Company Members of United Steelworkers of America, registered under the Act as number 698761.
4. Stelco Inc. Retirement Plan for Lake Erie Steel Company Salaried Employees, registered under the Act as number 698753.

RÈGLEMENT DE L'ONTARIO 100/06

pris en application de la

LOI SUR LES RÉGIMES DE RETRAITE

pris le 27 mars 2006

déposé le 31 mars 2006

publié sur le site Lois-en-ligne le 3 avril 2006

imprimé dans la *Gazette de l'Ontario* le 15 avril 2006

modifiant le Règl. 909 des R.R.O. de 1990
(Dispositions générales)

Remarque : Le Règlement 909 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des règlements qui se trouve sur le site www.lois-en-ligne.gouv.on.ca.

1. Le Règlement 909 des Règlements refondus de l'Ontario de 1990 est modifié par adjonction de l'article suivant :

1.1 (1) Pour l'application du présent règlement, un rapport présenté au surintendant aux termes du règlement relatif aux régimes de retraite de la Stelco est réputé un rapport préparé et déposé aux termes de l'article 14 du présent règlement.

(2) Pour l'application du présent règlement, une cotisation ou un paiement spécial exigé aux termes de l'article 7 du règlement relatif aux régimes de retraite de la Stelco est réputé une cotisation exigée aux termes de l'article 12 du présent règlement ou un paiement spécial exigé aux termes de l'article 5 du présent règlement, selon le cas.

(3) Pour l'application du présent règlement, un paiement spécial exigé aux termes de l'article 8 du règlement relatif aux régimes de retraite de la Stelco est réputé un paiement spécial exigé aux termes de l'article 5 du présent règlement.

(4) La définition qui suit s'applique au présent article.

«règlement relatif aux régimes de retraite de la Stelco» Le Règlement de l'Ontario 99/06 (Stelco Inc. Pension Plans) pris en application de la Loi.

2. Le Règlement est modifié par adjonction de l'article suivant :

47.4 À compter du 31 mars 2006, l'article 5.1 du présent règlement ne s'applique pas à l'égard des régimes suivants et ceux-ci ne sont plus des régimes admissibles visés à cet article :

1. Le régime appelé Stelco Inc. Bargaining Unit Pension Plan for Members of United Steelworkers of America, enregistré en vertu de la Loi sous le numéro 354878.
2. Le régime appelé Stelco Inc. and Participating Subsidiaries Retirement Plan for Salaried Employees, enregistré en vertu de la Loi sous le numéro 338509.
3. Le régime appelé Stelco Inc. Bargaining Unit Pension Plan for Lake Erie Steel Company Members of United Steelworkers of America, enregistré en vertu de la Loi sous le numéro 698761.
4. Le régime appelé Stelco Inc. Retirement Plan for Lake Erie Steel Company Salaried Employees, enregistré en vertu de la Loi sous le numéro 698753.

15/06

ONTARIO REGULATION 101/06

made under the

HEALTH PROTECTION AND PROMOTION ACT

Made: March 29, 2006

Filed: March 31, 2006

Published on e-Laws: March 31, 2006

Printed in *The Ontario Gazette*: April 15, 2006

Amending Reg. 562 of R.R.O. 1990
(Food Premises)

Note: Regulation 562 has previously been amended. Those amendments are listed in the [Table of Regulations – Legislative History Overview](#) which can be found at www.e-Laws.gov.on.ca.

1. Clause 32 (b) of Regulation 562 of the Revised Regulations of Ontario, 1990 is amended by striking out “5° Celsius” and substituting “4 degrees Celsius”.

2. (1) Subsection 40 (1) of the Regulation is revoked and the following substituted:

(1) The only meat permitted at a food premise is meat that has been obtained from an animal inspected in accordance with either Ontario Regulation 31/05 (Meat) made under the *Food Safety and Quality Act, 2001* or the *Meat Inspection Act* (Canada) and that has been stamped and labelled or otherwise identified in accordance with that regulation or that Act.

(2) Paragraphs 3 and 4 of subsection 40 (3) of the Regulation are revoked and the following substituted:

3. Patients, visitors and staff at the Health Centre are informed in writing each time before they are served uninspected meat that the meat has not been inspected in accordance with either Ontario Regulation 31/05 (Meat) made under the *Food Safety and Quality Act, 2001* or the *Meat Inspection Act* (Canada) and that meat that has been inspected is available for consumption.

4. Patients, visitors and staff at the Health Centre are informed in writing that meat that has been inspected in accordance with either Ontario Regulation 31/05 (Meat) made under the *Food Safety and Quality Act, 2001* or the *Meat Inspection Act (Canada)* is always available to be served on the premises.

(3) Section 40 of the Regulation is amended by adding the following subsection:

(4) Despite subsection (1), a food premise may have on the premises uninspected meat obtained through hunting that is handled, prepared and stored for the sole purpose of serving it at a wild game dinner held under the authority of an authorization granted under subsection 52 (1) of the *Fish and Wildlife Conservation Act, 1997*, if the following conditions are met:

1. The uninspected meat is handled, prepared and stored so that it does not come into contact with other food before the other food is served.
2. Patrons and staff are notified in writing each time before they are served uninspected meat that the meat has not been inspected in accordance with either Ontario Regulation 31/05 (Meat) made under the *Food Safety and Quality Act, 2001* or the *Meat Inspection Act (Canada)*. The notice shall be clearly printed on each ticket issued to a patron of a wild game dinner and also be posted in a conspicuous place at the entrance to the venue at which the wild game dinner is held.
3. The operator must keep a list of all patrons that attend the wild game dinner and must provide a copy of the list to a public health inspector upon request. The list must contain each patron's name, address and telephone number in full.
4. The operator must keep a list of all persons who donate uninspected meat for a wild game dinner and must provide a copy of the list to a public health inspector upon request. The list must contain,
 - i. each donor's name, address and telephone number in full, and
 - ii. with respect to each donor, the name of the species from which the donated meat was obtained.

15/06

ONTARIO REGULATION 102/06

made under the

FAMILY LAW ACT

Made: March 29, 2006

Filed: March 31, 2006

Published on e-Laws: April 4, 2006

Printed in *The Ontario Gazette*: April 15, 2006

Amending O. Reg. 391/97

(Child Support Guidelines)

Note: Ontario Regulation 391/97 has previously been amended. Those amendments are listed in the [Table of Regulations - Legislative History Overview](#) which can be found at www.e-Laws.gov.on.ca.

1. Section 7 of Ontario Regulation 391/97 is amended by adding the following subsection:

Definition, "extraordinary expenses"

(1.1) For the purposes of clauses (1) (d) and (f),

"extraordinary expenses" means

- (a) expenses that exceed those that the parent or spouse requesting an amount for the extraordinary expenses can reasonably cover, taking into account that parent's or spouse's income and the amount that the parent or spouse would receive under the applicable table or, where the court has determined that the table amount is inappropriate, the amount that the court has otherwise determined is appropriate, or
- (b) where clause (a) is not applicable, expenses that the court considers are extraordinary taking into account,
 - (i) the amount of the expense in relation to the income of the parent or spouse requesting the amount, including the amount that the parent or spouse would receive under the applicable table or, where the court has determined that the table amount is inappropriate, the amount that the court has otherwise determined is appropriate,

- (ii) the nature and number of the educational programs and extracurricular activities,
- (iii) any special needs and talents of the child,
- (iv) the overall cost of the programs and activities, and
- (v) any other similar factors that the court considers relevant.

2. Section 16 of the Regulation is amended by striking out “Canada Customs and Revenue Agency” and substituting “Canada Revenue Agency”.

3. Section 20 of the Regulation is revoked and the following substituted:

Non-resident

20. (1) Subject to subsection (2), where a parent or spouse is a non-resident of Canada, the parent's or spouse's annual income is determined as though the parent or spouse were a resident of Canada.

Non-resident taxed at higher rates

(2) Where a parent or spouse is a non-resident of Canada and resides in a country that has effective rates of income tax that are significantly higher than those applicable in the province or territory in which the other parent or spouse ordinarily resides, the non-resident parent's or spouse's annual income is the amount which the court determines to be appropriate taking the higher rates into consideration.

4. The Tables to Schedule I to the Regulation are revoked and the following substituted:

CHILD SUPPORT TABLE FOR ONTARIO NO. OF CHILDREN: ONE

| Income/Revenu (\$) | | Monthly Award/Paiement mensuel (\$) | | | Income/Revenu (\$) | | Monthly Award/Paiement mensuel (\$) | | | Income/Revenu (\$) | | Monthly Award/Paiement mensuel (\$) | | |
|--------------------|-------|-------------------------------------|----------|------------------------------------|--------------------|--------|-------------------------------------|----------|------------------------------------|---------------------------|--------|-------------------------------------|----------|------------------------------------|
| From/De | To/À | Basic Amount/Montant de base | Plus (%) | of Income over/du revenu dépassant | From/De | To/À | Amount/Montant de base | Plus (%) | of Income over/du revenu dépassant | From/De | To/À | Basic Amount/Montant de base | Plus (%) | of Income over/du revenu dépassant |
| 0 | 7999 | 0 | | | 56000 | 56999 | 519 | 0.96 | 56000 | 105000 | 105999 | 916 | 0.79 | 105000 |
| 8000 | 8999 | 0 | 0.95 | 8000 | 57000 | 57999 | 529 | 0.96 | 57000 | 106000 | 106999 | 924 | 0.79 | 106000 |
| 9000 | 9999 | 9 | 1.89 | 9000 | 58000 | 58999 | 538 | 0.96 | 58000 | 107000 | 107999 | 932 | 0.79 | 107000 |
| 10000 | 10999 | 28 | 1.89 | 10000 | 59000 | 59999 | 548 | 0.96 | 59000 | 108000 | 108999 | 939 | 0.79 | 108000 |
| 11000 | 11999 | 47 | 1.89 | 11000 | 60000 | 60999 | 557 | 0.91 | 60000 | 109000 | 109999 | 947 | 0.79 | 109000 |
| 12000 | 12999 | 66 | 1.89 | 12000 | 61000 | 61999 | 566 | 0.87 | 61000 | 110000 | 110999 | 955 | 0.79 | 110000 |
| 13000 | 13999 | 85 | 1.89 | 13000 | 62000 | 62999 | 575 | 0.87 | 62000 | 111000 | 111999 | 963 | 0.79 | 111000 |
| 14000 | 14999 | 104 | 1.89 | 14000 | 63000 | 63999 | 584 | 0.87 | 63000 | 112000 | 112999 | 971 | 0.79 | 112000 |
| 15000 | 15999 | 123 | 1.68 | 15000 | 64000 | 64999 | 592 | 0.87 | 64000 | 113000 | 113999 | 979 | 0.78 | 113000 |
| 16000 | 16999 | 140 | 0.81 | 16000 | 65000 | 65999 | 601 | 0.93 | 65000 | 114000 | 114999 | 987 | 0.74 | 114000 |
| 17000 | 17999 | 148 | 0.81 | 17000 | 66000 | 66999 | 610 | 0.92 | 66000 | 115000 | 115999 | 994 | 0.74 | 115000 |
| 18000 | 18999 | 156 | 0.81 | 18000 | 67000 | 67999 | 620 | 0.90 | 67000 | 116000 | 116999 | 1001 | 0.74 | 116000 |
| 19000 | 19999 | 164 | 0.81 | 19000 | 68000 | 68999 | 629 | 0.90 | 68000 | 117000 | 117999 | 1009 | 0.74 | 117000 |
| 20000 | 20999 | 172 | 0.77 | 20000 | 69000 | 69999 | 638 | 0.90 | 69000 | 118000 | 118999 | 1016 | 0.74 | 118000 |
| 21000 | 21999 | 180 | 0.77 | 21000 | 70000 | 70999 | 647 | 0.77 | 70000 | 119000 | 119999 | 1024 | 0.74 | 119000 |
| 22000 | 22999 | 188 | 0.77 | 22000 | 71000 | 71999 | 654 | 0.65 | 71000 | 120000 | 120999 | 1031 | 0.74 | 120000 |
| 23000 | 23999 | 195 | 0.77 | 23000 | 72000 | 72999 | 661 | 0.54 | 72000 | 121000 | 121999 | 1039 | 0.74 | 121000 |
| 24000 | 24999 | 203 | 0.77 | 24000 | 73000 | 73999 | 666 | 0.65 | 73000 | 122000 | 122999 | 1046 | 0.74 | 122000 |
| 25000 | 25999 | 211 | 1.13 | 25000 | 74000 | 74999 | 673 | 0.74 | 74000 | 123000 | 123999 | 1053 | 0.74 | 123000 |
| 26000 | 26999 | 222 | 1.20 | 26000 | 75000 | 75999 | 680 | 0.79 | 75000 | 124000 | 124999 | 1061 | 0.74 | 124000 |
| 27000 | 27999 | 234 | 1.20 | 27000 | 76000 | 76999 | 688 | 0.79 | 76000 | 125000 | 125999 | 1068 | 0.74 | 125000 |
| 28000 | 28999 | 246 | 1.20 | 28000 | 77000 | 77999 | 696 | 0.79 | 77000 | 126000 | 126999 | 1076 | 0.74 | 126000 |
| 29000 | 29999 | 258 | 1.16 | 29000 | 78000 | 78999 | 704 | 0.79 | 78000 | 127000 | 127999 | 1083 | 0.74 | 127000 |
| 30000 | 30999 | 270 | 1.13 | 30000 | 79000 | 79999 | 712 | 0.79 | 79000 | 128000 | 128999 | 1091 | 0.74 | 128000 |
| 31000 | 31999 | 281 | 1.13 | 31000 | 80000 | 80999 | 719 | 0.79 | 80000 | 129000 | 129999 | 1098 | 0.74 | 129000 |
| 32000 | 32999 | 293 | 1.13 | 32000 | 81000 | 81999 | 727 | 0.79 | 81000 | 130000 | 130999 | 1106 | 0.74 | 130000 |
| 33000 | 33999 | 304 | 1.17 | 33000 | 82000 | 82999 | 735 | 0.79 | 82000 | 131000 | 131999 | 1113 | 0.74 | 131000 |
| 34000 | 34999 | 316 | 0.94 | 34000 | 83000 | 83999 | 743 | 0.79 | 83000 | 132000 | 132999 | 1120 | 0.74 | 132000 |
| 35000 | 35999 | 325 | 0.81 | 35000 | 84000 | 84999 | 751 | 0.79 | 84000 | 133000 | 133999 | 1128 | 0.74 | 133000 |
| 36000 | 36999 | 333 | 0.82 | 36000 | 85000 | 85999 | 759 | 0.79 | 85000 | 134000 | 134999 | 1135 | 0.74 | 134000 |
| 37000 | 37999 | 341 | 0.84 | 37000 | 86000 | 86999 | 767 | 0.79 | 86000 | 135000 | 135999 | 1143 | 0.74 | 135000 |
| 38000 | 38999 | 350 | 0.86 | 38000 | 87000 | 87999 | 774 | 0.79 | 87000 | 136000 | 136999 | 1150 | 0.74 | 136000 |
| 39000 | 39999 | 358 | 0.90 | 39000 | 88000 | 88999 | 782 | 0.79 | 88000 | 137000 | 137999 | 1158 | 0.74 | 137000 |
| 40000 | 40999 | 367 | 0.93 | 40000 | 89000 | 89999 | 790 | 0.79 | 89000 | 138000 | 138999 | 1165 | 0.74 | 138000 |
| 41000 | 41999 | 377 | 0.96 | 41000 | 90000 | 90999 | 798 | 0.79 | 90000 | 139000 | 139999 | 1173 | 0.74 | 139000 |
| 42000 | 42999 | 386 | 0.96 | 42000 | 91000 | 91999 | 806 | 0.79 | 91000 | 140000 | 140999 | 1180 | 0.74 | 140000 |
| 43000 | 43999 | 396 | 0.96 | 43000 | 92000 | 92999 | 814 | 0.79 | 92000 | 141000 | 141999 | 1187 | 0.74 | 141000 |
| 44000 | 44999 | 405 | 0.96 | 44000 | 93000 | 93999 | 822 | 0.79 | 93000 | 142000 | 142999 | 1195 | 0.74 | 142000 |
| 45000 | 45999 | 415 | 0.96 | 45000 | 94000 | 94999 | 829 | 0.79 | 94000 | 143000 | 143999 | 1202 | 0.74 | 143000 |
| 46000 | 46999 | 425 | 0.96 | 46000 | 95000 | 95999 | 837 | 0.79 | 95000 | 144000 | 144999 | 1210 | 0.74 | 144000 |
| 47000 | 47999 | 434 | 0.96 | 47000 | 96000 | 96999 | 845 | 0.79 | 96000 | 145000 | 145999 | 1217 | 0.74 | 145000 |
| 48000 | 48999 | 444 | 0.85 | 48000 | 97000 | 97999 | 853 | 0.79 | 97000 | 146000 | 146999 | 1225 | 0.74 | 146000 |
| 49000 | 49999 | 452 | 0.96 | 49000 | 98000 | 98999 | 861 | 0.79 | 98000 | 147000 | 147999 | 1232 | 0.74 | 147000 |
| 50000 | 50999 | 462 | 0.96 | 50000 | 99000 | 99999 | 869 | 0.79 | 99000 | 148000 | 148999 | 1240 | 0.74 | 148000 |
| 51000 | 51999 | 471 | 0.96 | 51000 | 100000 | 100999 | 877 | 0.79 | 100000 | 149000 | 149999 | 1247 | 0.74 | 149000 |
| 52000 | 52999 | 481 | 0.96 | 52000 | 101000 | 101999 | 884 | 0.79 | 101000 | 150000 or greater/ou plus | | 1254 | 0.74 | 150000 |
| 53000 | 53999 | 490 | 0.96 | 53000 | 102000 | 102999 | 892 | 0.79 | 102000 | | | | | |
| 54000 | 54999 | 500 | 0.96 | 54000 | 103000 | 103999 | 900 | 0.79 | 103000 | | | | | |
| 55000 | 55999 | 510 | 0.96 | 55000 | 104000 | 104999 | 908 | 0.79 | 104000 | | | | | |

CHILD SUPPORT TABLE FOR ONTARIO NO. OF CHILDREN: TWO

| Income/ Revenu (\$) | | Monthly Award/ Païement mensuel (\$) | | | Income/Revenu (\$) | | Monthly Award/ Païement mensuel (\$) | | | Income/Revenu (\$) | | Monthly Award/ Païement mensuel (\$) | | |
|------------------------|-------|---|-------------|---|-----------------------|--------|---|-------------|---|-----------------------|------------------------|---|-------------|---|
| From/ De | To/A | Basic Amount/ Montant de base | Plus (%) | of Income over/du revenu dépassant | From/ De | To/A | Basic Amount/ Montant de base | Plus (%) | of Income over/du revenu dépassant | From/ De | To/A | Basic Amount/ Montant de base | Plus (%) | of Income over/du revenu dépassant |
| 0 | 7999 | 0 | | | 56000 | 56999 | 842 | 1.49 | 56000 | 105000 | 105999 | 1465 | 1.22 | 105000 |
| 8000 | 8999 | 0 | 1.75 | 8000 | 57000 | 57999 | 857 | 1.49 | 57000 | 106000 | 106999 | 1477 | 1.22 | 106000 |
| 9000 | 9999 | 17 | 4.34 | 9000 | 58000 | 58999 | 872 | 1.49 | 58000 | 107000 | 107999 | 1489 | 1.22 | 107000 |
| 10000 | 10999 | 61 | 4.34 | 10000 | 59000 | 59999 | 887 | 1.49 | 59000 | 108000 | 108999 | 1501 | 1.22 | 108000 |
| 11000 | 11999 | 104 | 4.20 | 11000 | 60000 | 60999 | 902 | 1.44 | 60000 | 109000 | 109999 | 1514 | 1.22 | 109000 |
| 12000 | 12999 | 146 | 3.73 | 12000 | 61000 | 61999 | 916 | 1.39 | 61000 | 110000 | 110999 | 1526 | 1.22 | 110000 |
| 13000 | 13999 | 184 | 3.65 | 13000 | 62000 | 62999 | 930 | 1.39 | 62000 | 111000 | 111999 | 1538 | 1.22 | 111000 |
| 14000 | 14999 | 220 | 2.21 | 14000 | 63000 | 63999 | 944 | 1.39 | 63000 | 112000 | 112999 | 1550 | 1.22 | 112000 |
| 15000 | 15999 | 242 | 1.04 | 15000 | 64000 | 64999 | 958 | 1.39 | 64000 | 113000 | 113999 | 1563 | 1.21 | 113000 |
| 16000 | 16999 | 253 | 1.39 | 16000 | 65000 | 65999 | 972 | 1.45 | 65000 | 114000 | 114999 | 1575 | 1.16 | 114000 |
| 17000 | 17999 | 267 | 1.39 | 17000 | 66000 | 66999 | 986 | 1.44 | 66000 | 115000 | 115999 | 1586 | 1.16 | 115000 |
| 18000 | 18999 | 281 | 1.39 | 18000 | 67000 | 67999 | 1001 | 1.40 | 67000 | 116000 | 116999 | 1598 | 1.16 | 116000 |
| 19000 | 19999 | 294 | 1.39 | 19000 | 68000 | 68999 | 1015 | 1.40 | 68000 | 117000 | 117999 | 1609 | 1.16 | 117000 |
| 20000 | 20999 | 308 | 1.33 | 20000 | 69000 | 69999 | 1029 | 1.40 | 69000 | 118000 | 118999 | 1621 | 1.16 | 118000 |
| 21000 | 21999 | 322 | 1.33 | 21000 | 70000 | 70999 | 1043 | 1.24 | 70000 | 119000 | 119999 | 1633 | 1.16 | 119000 |
| 22000 | 22999 | 335 | 1.33 | 22000 | 71000 | 71999 | 1055 | 1.10 | 71000 | 120000 | 120999 | 1644 | 1.16 | 120000 |
| 23000 | 23999 | 348 | 1.33 | 23000 | 72000 | 72999 | 1066 | 0.94 | 72000 | 121000 | 121999 | 1656 | 1.16 | 121000 |
| 24000 | 24999 | 362 | 1.33 | 24000 | 73000 | 73999 | 1075 | 1.10 | 73000 | 122000 | 122999 | 1667 | 1.16 | 122000 |
| 25000 | 25999 | 375 | 1.39 | 25000 | 74000 | 74999 | 1086 | 1.18 | 74000 | 123000 | 123999 | 1679 | 1.16 | 123000 |
| 26000 | 26999 | 389 | 1.39 | 26000 | 75000 | 75999 | 1098 | 1.22 | 75000 | 124000 | 124999 | 1690 | 1.16 | 124000 |
| 27000 | 27999 | 403 | 1.39 | 27000 | 76000 | 76999 | 1110 | 1.22 | 76000 | 125000 | 125999 | 1702 | 1.16 | 125000 |
| 28000 | 28999 | 417 | 1.39 | 28000 | 77000 | 77999 | 1122 | 1.22 | 77000 | 126000 | 126999 | 1714 | 1.16 | 126000 |
| 29000 | 29999 | 431 | 1.33 | 29000 | 78000 | 78999 | 1135 | 1.22 | 78000 | 127000 | 127999 | 1725 | 1.16 | 127000 |
| 30000 | 30999 | 444 | 1.29 | 30000 | 79000 | 79999 | 1147 | 1.22 | 79000 | 128000 | 128999 | 1737 | 1.16 | 128000 |
| 31000 | 31999 | 457 | 1.54 | 31000 | 80000 | 80999 | 1159 | 1.22 | 80000 | 129000 | 129999 | 1748 | 1.16 | 129000 |
| 32000 | 32999 | 472 | 1.63 | 32000 | 81000 | 81999 | 1171 | 1.22 | 81000 | 130000 | 130999 | 1760 | 1.16 | 130000 |
| 33000 | 33999 | 488 | 1.65 | 33000 | 82000 | 82999 | 1184 | 1.22 | 82000 | 131000 | 131999 | 1772 | 1.16 | 131000 |
| 34000 | 34999 | 505 | 1.66 | 34000 | 83000 | 83999 | 1196 | 1.22 | 83000 | 132000 | 132999 | 1783 | 1.16 | 132000 |
| 35000 | 35999 | 521 | 1.54 | 35000 | 84000 | 84999 | 1208 | 1.22 | 84000 | 133000 | 133999 | 1795 | 1.16 | 133000 |
| 36000 | 36999 | 537 | 1.55 | 36000 | 85000 | 85999 | 1220 | 1.22 | 85000 | 134000 | 134999 | 1806 | 1.16 | 134000 |
| 37000 | 37999 | 552 | 1.58 | 37000 | 86000 | 86999 | 1232 | 1.22 | 86000 | 135000 | 135999 | 1818 | 1.16 | 135000 |
| 38000 | 38999 | 568 | 1.61 | 38000 | 87000 | 87999 | 1245 | 1.22 | 87000 | 136000 | 136999 | 1829 | 1.16 | 136000 |
| 39000 | 39999 | 584 | 1.68 | 39000 | 88000 | 88999 | 1257 | 1.22 | 88000 | 137000 | 137999 | 1841 | 1.16 | 137000 |
| 40000 | 40999 | 601 | 1.72 | 40000 | 89000 | 89999 | 1269 | 1.22 | 89000 | 138000 | 138999 | 1853 | 1.16 | 138000 |
| 41000 | 41999 | 618 | 1.75 | 41000 | 90000 | 90999 | 1281 | 1.22 | 90000 | 139000 | 139999 | 1864 | 1.16 | 139000 |
| 42000 | 42999 | 636 | 1.49 | 42000 | 91000 | 91999 | 1294 | 1.22 | 91000 | 140000 | 140999 | 1876 | 1.16 | 140000 |
| 43000 | 43999 | 651 | 1.49 | 43000 | 92000 | 92999 | 1306 | 1.22 | 92000 | 141000 | 141999 | 1887 | 1.16 | 141000 |
| 44000 | 44999 | 665 | 1.49 | 44000 | 93000 | 93999 | 1318 | 1.22 | 93000 | 142000 | 142999 | 1899 | 1.16 | 142000 |
| 45000 | 45999 | 680 | 1.49 | 45000 | 94000 | 94999 | 1330 | 1.22 | 94000 | 143000 | 143999 | 1910 | 1.16 | 143000 |
| 46000 | 46999 | 695 | 1.49 | 46000 | 95000 | 95999 | 1343 | 1.22 | 95000 | 144000 | 144999 | 1922 | 1.16 | 144000 |
| 47000 | 47999 | 710 | 1.49 | 47000 | 96000 | 96999 | 1355 | 1.22 | 96000 | 145000 | 145999 | 1934 | 1.16 | 145000 |
| 48000 | 48999 | 725 | 1.33 | 48000 | 97000 | 97999 | 1367 | 1.22 | 97000 | 146000 | 146999 | 1945 | 1.16 | 146000 |
| 49000 | 49999 | 738 | 1.49 | 49000 | 98000 | 98999 | 1379 | 1.22 | 98000 | 147000 | 147999 | 1957 | 1.16 | 147000 |
| 50000 | 50999 | 753 | 1.49 | 50000 | 99000 | 99999 | 1391 | 1.22 | 99000 | 148000 | 148999 | 1968 | 1.16 | 148000 |
| 51000 | 51999 | 768 | 1.49 | 51000 | 100000 | 100999 | 1404 | 1.22 | 100000 | 149000 | 149999 | 1980 | 1.16 | 149000 |
| 52000 | 52999 | 783 | 1.49 | 52000 | 101000 | 101999 | 1416 | 1.22 | 101000 | 150000 | or greater /ou plus | 1992 | 1.16 | 150000 |
| 53000 | 53999 | 798 | 1.49 | 53000 | 102000 | 102999 | 1428 | 1.22 | 102000 | | | | | |
| 54000 | 54999 | 813 | 1.49 | 54000 | 103000 | 103999 | 1440 | 1.22 | 103000 | | | | | |
| 55000 | 55999 | 827 | 1.49 | 55000 | 104000 | 104999 | 1453 | 1.22 | 104000 | | | | | |

CHILD SUPPORT TABLE FOR ONTARIO NO. OF CHILDREN: *THREE*

| Income/ Revenu (\$) | | Monthly Award/ Paiement mensuel (\$) | | | Income/Revenu (\$) | | Monthly Award/ Paiement mensuel (\$) | | | Income/Revenu (\$) | | Monthly Award/ Paiement mensuel (\$) | | |
|------------------------|-------|---|-------------|---|-----------------------|--------|---|-------------|---|-----------------------|-----------------------|---|-------------|---|
| From/ De | To/A | Basic Amount/ Montant de base | Plus (%) | of Income over/du revenu dépassant | From/ De | To/A | Basic Amount/ Montant de base | Plus (%) | of Income over/du revenu dépassant | From/ De | To/A | Basic Amount/ Montant de base | Plus (%) | of Income over/du revenu dépassant |
| 0 | 7999 | 0 | | | 56000 | 56999 | 1101 | 1.91 | 56000 | 105000 | 105999 | 1904 | 1.57 | 105000 |
| 8000 | 8999 | 0 | 1.88 | 8000 | 57000 | 57999 | 1120 | 1.91 | 57000 | 106000 | 106999 | 1920 | 1.57 | 106000 |
| 9000 | 9999 | 19 | 4.68 | 9000 | 58000 | 58999 | 1139 | 1.91 | 58000 | 107000 | 107999 | 1935 | 1.57 | 107000 |
| 10000 | 10999 | 66 | 4.68 | 10000 | 59000 | 59999 | 1158 | 1.91 | 59000 | 108000 | 108999 | 1951 | 1.57 | 108000 |
| 11000 | 11999 | 112 | 4.52 | 11000 | 60000 | 60999 | 1177 | 1.86 | 60000 | 109000 | 109999 | 1967 | 1.57 | 109000 |
| 12000 | 12999 | 158 | 4.02 | 12000 | 61000 | 61999 | 1196 | 1.81 | 61000 | 110000 | 110999 | 1983 | 1.57 | 110000 |
| 13000 | 13999 | 198 | 3.93 | 13000 | 62000 | 62999 | 1214 | 1.81 | 62000 | 111000 | 111999 | 1998 | 1.57 | 111000 |
| 14000 | 14999 | 237 | 3.90 | 14000 | 63000 | 63999 | 1232 | 1.81 | 63000 | 112000 | 112999 | 2014 | 1.57 | 112000 |
| 15000 | 15999 | 276 | 4.21 | 15000 | 64000 | 64999 | 1250 | 1.81 | 64000 | 113000 | 113999 | 2030 | 1.56 | 113000 |
| 16000 | 16999 | 318 | 4.23 | 16000 | 65000 | 65999 | 1268 | 1.86 | 65000 | 114000 | 114999 | 2045 | 1.49 | 114000 |
| 17000 | 17999 | 361 | 1.95 | 17000 | 66000 | 66999 | 1287 | 1.85 | 66000 | 115000 | 115999 | 2060 | 1.49 | 115000 |
| 18000 | 18999 | 380 | 1.86 | 18000 | 67000 | 67999 | 1305 | 1.79 | 67000 | 116000 | 116999 | 2075 | 1.49 | 116000 |
| 19000 | 19999 | 399 | 1.86 | 19000 | 68000 | 68999 | 1323 | 1.79 | 68000 | 117000 | 117999 | 2090 | 1.49 | 117000 |
| 20000 | 20999 | 417 | 1.78 | 20000 | 69000 | 69999 | 1341 | 1.79 | 69000 | 118000 | 118999 | 2105 | 1.49 | 118000 |
| 21000 | 21999 | 435 | 1.78 | 21000 | 70000 | 70999 | 1359 | 1.61 | 70000 | 119000 | 119999 | 2120 | 1.49 | 119000 |
| 22000 | 22999 | 453 | 1.78 | 22000 | 71000 | 71999 | 1375 | 1.46 | 71000 | 120000 | 120999 | 2135 | 1.49 | 120000 |
| 23000 | 23999 | 470 | 1.78 | 23000 | 72000 | 72999 | 1390 | 1.25 | 72000 | 121000 | 121999 | 2149 | 1.49 | 121000 |
| 24000 | 24999 | 488 | 1.78 | 24000 | 73000 | 73999 | 1402 | 1.46 | 73000 | 122000 | 122999 | 2164 | 1.49 | 122000 |
| 25000 | 25999 | 506 | 1.86 | 25000 | 74000 | 74999 | 1417 | 1.53 | 74000 | 123000 | 123999 | 2179 | 1.49 | 123000 |
| 26000 | 26999 | 525 | 1.86 | 26000 | 75000 | 75999 | 1432 | 1.57 | 75000 | 124000 | 124999 | 2194 | 1.49 | 124000 |
| 27000 | 27999 | 543 | 1.86 | 27000 | 76000 | 76999 | 1448 | 1.57 | 76000 | 125000 | 125999 | 2209 | 1.49 | 125000 |
| 28000 | 28999 | 562 | 1.86 | 28000 | 77000 | 77999 | 1464 | 1.57 | 77000 | 126000 | 126999 | 2224 | 1.49 | 126000 |
| 29000 | 29999 | 580 | 1.77 | 29000 | 78000 | 78999 | 1479 | 1.57 | 78000 | 127000 | 127999 | 2239 | 1.49 | 127000 |
| 30000 | 30999 | 598 | 1.72 | 30000 | 79000 | 79999 | 1495 | 1.57 | 79000 | 128000 | 128999 | 2254 | 1.49 | 128000 |
| 31000 | 31999 | 615 | 1.72 | 31000 | 80000 | 80999 | 1511 | 1.57 | 80000 | 129000 | 129999 | 2269 | 1.49 | 129000 |
| 32000 | 32999 | 632 | 1.72 | 32000 | 81000 | 81999 | 1527 | 1.57 | 81000 | 130000 | 130999 | 2283 | 1.49 | 130000 |
| 33000 | 33999 | 650 | 1.61 | 33000 | 82000 | 82999 | 1542 | 1.57 | 82000 | 131000 | 131999 | 2298 | 1.49 | 131000 |
| 34000 | 34999 | 666 | 1.55 | 34000 | 83000 | 83999 | 1558 | 1.57 | 83000 | 132000 | 132999 | 2313 | 1.49 | 132000 |
| 35000 | 35999 | 681 | 1.41 | 35000 | 84000 | 84999 | 1574 | 1.57 | 84000 | 133000 | 133999 | 2328 | 1.49 | 133000 |
| 36000 | 36999 | 695 | 1.88 | 36000 | 85000 | 85999 | 1590 | 1.57 | 85000 | 134000 | 134999 | 2343 | 1.49 | 134000 |
| 37000 | 37999 | 714 | 1.92 | 37000 | 86000 | 86999 | 1605 | 1.57 | 86000 | 135000 | 135999 | 2358 | 1.49 | 135000 |
| 38000 | 38999 | 733 | 1.96 | 38000 | 87000 | 87999 | 1621 | 1.57 | 87000 | 136000 | 136999 | 2373 | 1.49 | 136000 |
| 39000 | 39999 | 753 | 2.05 | 39000 | 88000 | 88999 | 1637 | 1.57 | 88000 | 137000 | 137999 | 2388 | 1.49 | 137000 |
| 40000 | 40999 | 773 | 2.11 | 40000 | 89000 | 89999 | 1652 | 1.57 | 89000 | 138000 | 138999 | 2403 | 1.49 | 138000 |
| 41000 | 41999 | 795 | 2.17 | 41000 | 90000 | 90999 | 1668 | 1.57 | 90000 | 139000 | 139999 | 2417 | 1.49 | 139000 |
| 42000 | 42999 | 816 | 2.17 | 42000 | 91000 | 91999 | 1684 | 1.57 | 91000 | 140000 | 140999 | 2432 | 1.49 | 140000 |
| 43000 | 43999 | 838 | 2.17 | 43000 | 92000 | 92999 | 1700 | 1.57 | 92000 | 141000 | 141999 | 2447 | 1.49 | 141000 |
| 44000 | 44999 | 860 | 2.17 | 44000 | 93000 | 93999 | 1715 | 1.57 | 93000 | 142000 | 142999 | 2462 | 1.49 | 142000 |
| 45000 | 45999 | 881 | 2.17 | 45000 | 94000 | 94999 | 1731 | 1.57 | 94000 | 143000 | 143999 | 2477 | 1.49 | 143000 |
| 46000 | 46999 | 903 | 2.17 | 46000 | 95000 | 95999 | 1747 | 1.57 | 95000 | 144000 | 144999 | 2492 | 1.49 | 144000 |
| 47000 | 47999 | 925 | 2.17 | 47000 | 96000 | 96999 | 1762 | 1.57 | 96000 | 145000 | 145999 | 2507 | 1.49 | 145000 |
| 48000 | 48999 | 946 | 1.96 | 48000 | 97000 | 97999 | 1778 | 1.57 | 97000 | 146000 | 146999 | 2522 | 1.49 | 146000 |
| 49000 | 49999 | 966 | 2.02 | 49000 | 98000 | 98999 | 1794 | 1.57 | 98000 | 147000 | 147999 | 2536 | 1.49 | 147000 |
| 50000 | 50999 | 986 | 1.91 | 50000 | 99000 | 99999 | 1810 | 1.57 | 99000 | 148000 | 148999 | 2551 | 1.49 | 148000 |
| 51000 | 51999 | 1005 | 1.91 | 51000 | 100000 | 100999 | 1825 | 1.57 | 100000 | 149000 | 149999 | 2566 | 1.49 | 149000 |
| 52000 | 52999 | 1024 | 1.91 | 52000 | 101000 | 101999 | 1841 | 1.57 | 101000 | 150000 | or greater ou plus | 2581 | 1.49 | 150000 |
| 53000 | 53999 | 1043 | 1.91 | 53000 | 102000 | 102999 | 1857 | 1.57 | 102000 | | | | | |
| 54000 | 54999 | 1063 | 1.91 | 54000 | 103000 | 103999 | 1872 | 1.57 | 103000 | | | | | |
| 55000 | 55999 | 1082 | 1.91 | 55000 | 104000 | 104999 | 1888 | 1.57 | 104000 | | | | | |

CHILD SUPPORT TABLE FOR ONTARIO NO. OF CHILDREN: *FOUR*

| Income/ Revenu (\$) | | Monthly Award/ Paie ment mensuel (\$) | | | Income/Revenu (\$) | | Monthly Award/ Paie ment mensuel (\$) | | | Income/Revenu (\$) | | Monthly Award/ Paie ment mensuel (\$) | | |
|------------------------|-------|--|-------------|---|-----------------------|--------|--|-------------|---|-----------------------|------------------------|--|-------------|---|
| From/ De | To/A | Basic Amount/ Montant de base | Plus (%) | of Income over/du revenu dépassant | From/ De | To/A | Basic Amount/ Montant de base | Plus (%) | of Income over/du revenu dépassant | From/ De | To/A | Basic Amount/ Montant de base | Plus (%) | of Income over/du revenu dépassant |
| 0 | 7999 | 0 | | | 56000 | 56999 | 1310 | 2.47 | 56000 | 105000 | 105999 | 2263 | 1.86 | 105000 |
| 8000 | 8999 | 0 | 2.01 | 8000 | 57000 | 57999 | 1335 | 2.26 | 57000 | 106000 | 106999 | 2282 | 1.86 | 106000 |
| 9000 | 9999 | 20 | 5.01 | 9000 | 58000 | 58999 | 1358 | 2.26 | 58000 | 107000 | 107999 | 2300 | 1.86 | 107000 |
| 10000 | 10999 | 70 | 5.01 | 10000 | 59000 | 59999 | 1380 | 2.26 | 59000 | 108000 | 108999 | 2319 | 1.86 | 108000 |
| 11000 | 11999 | 120 | 4.84 | 11000 | 60000 | 60999 | 1403 | 2.21 | 60000 | 109000 | 109999 | 2338 | 1.86 | 109000 |
| 12000 | 12999 | 169 | 4.31 | 12000 | 61000 | 61999 | 1425 | 2.15 | 61000 | 110000 | 110999 | 2356 | 1.86 | 110000 |
| 13000 | 13999 | 212 | 4.22 | 13000 | 62000 | 62999 | 1446 | 2.15 | 62000 | 111000 | 111999 | 2375 | 1.86 | 111000 |
| 14000 | 14999 | 254 | 4.18 | 14000 | 63000 | 63999 | 1468 | 2.15 | 63000 | 112000 | 112999 | 2393 | 1.86 | 112000 |
| 15000 | 15999 | 296 | 4.51 | 15000 | 64000 | 64999 | 1489 | 2.15 | 64000 | 113000 | 113999 | 2412 | 1.84 | 113000 |
| 16000 | 16999 | 341 | 4.53 | 16000 | 65000 | 65999 | 1511 | 2.20 | 65000 | 114000 | 114999 | 2430 | 1.76 | 114000 |
| 17000 | 17999 | 386 | 4.53 | 17000 | 66000 | 66999 | 1533 | 2.18 | 66000 | 115000 | 115999 | 2448 | 1.76 | 115000 |
| 18000 | 18999 | 432 | 4.53 | 18000 | 67000 | 67999 | 1555 | 2.12 | 67000 | 116000 | 116999 | 2465 | 1.76 | 116000 |
| 19000 | 19999 | 477 | 2.92 | 19000 | 68000 | 68999 | 1576 | 2.12 | 68000 | 117000 | 117999 | 2483 | 1.76 | 117000 |
| 20000 | 20999 | 506 | 2.14 | 20000 | 69000 | 69999 | 1597 | 2.12 | 69000 | 118000 | 118999 | 2501 | 1.76 | 118000 |
| 21000 | 21999 | 528 | 2.14 | 21000 | 70000 | 70999 | 1618 | 1.91 | 70000 | 119000 | 119999 | 2518 | 1.76 | 119000 |
| 22000 | 22999 | 549 | 2.14 | 22000 | 71000 | 71999 | 1637 | 1.76 | 71000 | 120000 | 120999 | 2536 | 1.76 | 120000 |
| 23000 | 23999 | 570 | 2.14 | 23000 | 72000 | 72999 | 1655 | 1.51 | 72000 | 121000 | 121999 | 2553 | 1.76 | 121000 |
| 24000 | 24999 | 592 | 2.14 | 24000 | 73000 | 73999 | 1670 | 1.76 | 73000 | 122000 | 122999 | 2571 | 1.76 | 122000 |
| 25000 | 25999 | 613 | 2.24 | 25000 | 74000 | 74999 | 1688 | 1.82 | 74000 | 123000 | 123999 | 2589 | 1.76 | 123000 |
| 26000 | 26999 | 636 | 2.24 | 26000 | 75000 | 75999 | 1706 | 1.86 | 75000 | 124000 | 124999 | 2606 | 1.76 | 124000 |
| 27000 | 27999 | 658 | 2.24 | 27000 | 76000 | 76999 | 1724 | 1.86 | 76000 | 125000 | 125999 | 2624 | 1.76 | 125000 |
| 28000 | 28999 | 680 | 2.24 | 28000 | 77000 | 77999 | 1743 | 1.86 | 77000 | 126000 | 126999 | 2641 | 1.76 | 126000 |
| 29000 | 29999 | 703 | 2.14 | 29000 | 78000 | 78999 | 1762 | 1.86 | 78000 | 127000 | 127999 | 2659 | 1.76 | 127000 |
| 30000 | 30999 | 724 | 2.08 | 30000 | 79000 | 79999 | 1780 | 1.86 | 79000 | 128000 | 128999 | 2677 | 1.76 | 128000 |
| 31000 | 31999 | 745 | 2.08 | 31000 | 80000 | 80999 | 1799 | 1.86 | 80000 | 129000 | 129999 | 2694 | 1.76 | 129000 |
| 32000 | 32999 | 766 | 2.08 | 32000 | 81000 | 81999 | 1817 | 1.86 | 81000 | 130000 | 130999 | 2712 | 1.76 | 130000 |
| 33000 | 33999 | 786 | 1.96 | 33000 | 82000 | 82999 | 1836 | 1.86 | 82000 | 131000 | 131999 | 2729 | 1.76 | 131000 |
| 34000 | 34999 | 806 | 1.90 | 34000 | 83000 | 83999 | 1855 | 1.86 | 83000 | 132000 | 132999 | 2747 | 1.76 | 132000 |
| 35000 | 35999 | 825 | 1.70 | 35000 | 84000 | 84999 | 1873 | 1.86 | 84000 | 133000 | 133999 | 2764 | 1.76 | 133000 |
| 36000 | 36999 | 842 | 1.72 | 36000 | 85000 | 85999 | 1892 | 1.86 | 85000 | 134000 | 134999 | 2782 | 1.76 | 134000 |
| 37000 | 37999 | 859 | 1.76 | 37000 | 86000 | 86999 | 1910 | 1.86 | 86000 | 135000 | 135999 | 2800 | 1.76 | 135000 |
| 38000 | 38999 | 877 | 1.81 | 38000 | 87000 | 87999 | 1929 | 1.86 | 87000 | 136000 | 136999 | 2817 | 1.76 | 136000 |
| 39000 | 39999 | 895 | 1.97 | 39000 | 88000 | 88999 | 1947 | 1.86 | 88000 | 137000 | 137999 | 2835 | 1.76 | 137000 |
| 40000 | 40999 | 915 | 2.42 | 40000 | 89000 | 89999 | 1966 | 1.86 | 89000 | 138000 | 138999 | 2852 | 1.76 | 138000 |
| 41000 | 41999 | 939 | 2.49 | 41000 | 90000 | 90999 | 1985 | 1.86 | 90000 | 139000 | 139999 | 2870 | 1.76 | 139000 |
| 42000 | 42999 | 964 | 2.49 | 42000 | 91000 | 91999 | 2003 | 1.86 | 91000 | 140000 | 140999 | 2888 | 1.76 | 140000 |
| 43000 | 43999 | 989 | 2.49 | 43000 | 92000 | 92999 | 2022 | 1.86 | 92000 | 141000 | 141999 | 2905 | 1.76 | 141000 |
| 44000 | 44999 | 1014 | 2.49 | 44000 | 93000 | 93999 | 2040 | 1.86 | 93000 | 142000 | 142999 | 2923 | 1.76 | 142000 |
| 45000 | 45999 | 1039 | 2.49 | 45000 | 94000 | 94999 | 2059 | 1.86 | 94000 | 143000 | 143999 | 2940 | 1.76 | 143000 |
| 46000 | 46999 | 1064 | 2.49 | 46000 | 95000 | 95999 | 2077 | 1.86 | 95000 | 144000 | 144999 | 2958 | 1.76 | 144000 |
| 47000 | 47999 | 1088 | 2.49 | 47000 | 96000 | 96999 | 2096 | 1.86 | 96000 | 145000 | 145999 | 2976 | 1.76 | 145000 |
| 48000 | 48999 | 1113 | 2.25 | 48000 | 97000 | 97999 | 2115 | 1.86 | 97000 | 146000 | 146999 | 2993 | 1.76 | 146000 |
| 49000 | 49999 | 1136 | 2.49 | 49000 | 98000 | 98999 | 2133 | 1.86 | 98000 | 147000 | 147999 | 3011 | 1.76 | 147000 |
| 50000 | 50999 | 1161 | 2.49 | 50000 | 99000 | 99999 | 2152 | 1.86 | 99000 | 148000 | 148999 | 3028 | 1.76 | 148000 |
| 51000 | 51999 | 1186 | 2.49 | 51000 | 100000 | 100999 | 2170 | 1.86 | 100000 | 149000 | 149999 | 3046 | 1.76 | 149000 |
| 52000 | 52999 | 1211 | 2.49 | 52000 | 101000 | 101999 | 2189 | 1.86 | 101000 | 150000 | or greater /ou plus | 3064 | 1.76 | 150000 |
| 53000 | 53999 | 1235 | 2.49 | 53000 | 102000 | 102999 | 2207 | 1.86 | 102000 | | | | | |
| 54000 | 54999 | 1260 | 2.49 | 54000 | 103000 | 103999 | 2226 | 1.86 | 103000 | | | | | |
| 55000 | 55999 | 1285 | 2.49 | 55000 | 104000 | 104999 | 2245 | 1.86 | 104000 | | | | | |

CHILD SUPPORT TABLE FOR ONTARIO NO. OF CHILDREN: FIVE

| Income/ Revenu (\$) | | Monthly Award/ Paieement mensuel (\$) | | | Income/Revenu (\$) | | Monthly Award/ Paieement mensuel (\$) | | | Income/Revenu (\$) | | Monthly Award/ Paieement mensuel (\$) | | |
|------------------------|-------|--|-------------|---|-----------------------|--------|--|-------------|---|-----------------------|------------------------|--|-------------|---|
| From/ De | To/A | Basic Amount/ Montant de base | Plus (%) | of Income over/du revenu dépassant | From/ De | To/A | Basic Amount/ Montant de base | Plus (%) | of Income over/du revenu dépassant | From/ De | To/A | Basic Amount/ Montant de base | Plus (%) | of Income over/du revenu dépassant |
| 0 | 7999 | 0 | | | 56000 | 56999 | 1471 | 2.76 | 56000 | 105000 | 105999 | 2563 | 2.10 | 105000 |
| 8000 | 8999 | 0 | 2.01 | 8000 | 57000 | 57999 | 1498 | 2.76 | 57000 | 106000 | 106999 | 2584 | 2.10 | 106000 |
| 9000 | 9999 | 20 | 5.01 | 9000 | 58000 | 58999 | 1526 | 2.76 | 58000 | 107000 | 107999 | 2605 | 2.10 | 107000 |
| 10000 | 10999 | 70 | 5.01 | 10000 | 59000 | 59999 | 1554 | 2.76 | 59000 | 108000 | 108999 | 2626 | 2.10 | 108000 |
| 11000 | 11999 | 120 | 4.84 | 11000 | 60000 | 60999 | 1581 | 2.71 | 60000 | 109000 | 109999 | 2646 | 2.10 | 109000 |
| 12000 | 12999 | 169 | 4.31 | 12000 | 61000 | 61999 | 1608 | 2.65 | 61000 | 110000 | 110999 | 2667 | 2.10 | 110000 |
| 13000 | 13999 | 212 | 4.22 | 13000 | 62000 | 62999 | 1635 | 2.65 | 62000 | 111000 | 111999 | 2688 | 2.10 | 111000 |
| 14000 | 14999 | 254 | 4.18 | 14000 | 63000 | 63999 | 1661 | 2.65 | 63000 | 112000 | 112999 | 2709 | 2.10 | 112000 |
| 15000 | 15999 | 296 | 4.51 | 15000 | 64000 | 64999 | 1688 | 2.53 | 64000 | 113000 | 113999 | 2730 | 2.07 | 113000 |
| 16000 | 16999 | 341 | 4.53 | 16000 | 65000 | 65999 | 1713 | 2.48 | 65000 | 114000 | 114999 | 2751 | 1.98 | 114000 |
| 17000 | 17999 | 386 | 4.53 | 17000 | 66000 | 66999 | 1738 | 2.46 | 66000 | 115000 | 115999 | 2771 | 1.98 | 115000 |
| 18000 | 18999 | 432 | 4.53 | 18000 | 67000 | 67999 | 1763 | 2.39 | 67000 | 116000 | 116999 | 2791 | 1.98 | 116000 |
| 19000 | 19999 | 477 | 4.35 | 19000 | 68000 | 68999 | 1786 | 2.39 | 68000 | 117000 | 117999 | 2811 | 1.98 | 117000 |
| 20000 | 20999 | 522 | 4.35 | 20000 | 69000 | 69999 | 1810 | 2.39 | 69000 | 118000 | 118999 | 2830 | 1.98 | 118000 |
| 21000 | 21999 | 566 | 4.35 | 21000 | 70000 | 70999 | 1834 | 2.16 | 70000 | 119000 | 119999 | 2850 | 1.98 | 119000 |
| 22000 | 22999 | 609 | 4.35 | 22000 | 71000 | 71999 | 1856 | 2.00 | 71000 | 120000 | 120999 | 2870 | 1.98 | 120000 |
| 23000 | 23999 | 653 | 2.55 | 23000 | 72000 | 72999 | 1876 | 1.73 | 72000 | 121000 | 121999 | 2890 | 1.98 | 121000 |
| 24000 | 24999 | 678 | 2.45 | 24000 | 73000 | 73999 | 1893 | 2.00 | 73000 | 122000 | 122999 | 2910 | 1.98 | 122000 |
| 25000 | 25999 | 703 | 2.56 | 25000 | 74000 | 74999 | 1913 | 2.06 | 74000 | 123000 | 123999 | 2930 | 1.98 | 123000 |
| 26000 | 26999 | 728 | 2.56 | 26000 | 75000 | 75999 | 1934 | 2.10 | 75000 | 124000 | 124999 | 2950 | 1.98 | 124000 |
| 27000 | 27999 | 754 | 2.56 | 27000 | 76000 | 76999 | 1955 | 2.10 | 76000 | 125000 | 125999 | 2969 | 1.98 | 125000 |
| 28000 | 28999 | 779 | 2.56 | 28000 | 77000 | 77999 | 1976 | 2.10 | 77000 | 126000 | 126999 | 2989 | 1.98 | 126000 |
| 29000 | 29999 | 805 | 2.44 | 29000 | 78000 | 78999 | 1997 | 2.10 | 78000 | 127000 | 127999 | 3009 | 1.98 | 127000 |
| 30000 | 30999 | 829 | 2.37 | 30000 | 79000 | 79999 | 2018 | 2.10 | 79000 | 128000 | 128999 | 3029 | 1.98 | 128000 |
| 31000 | 31999 | 853 | 2.37 | 31000 | 80000 | 80999 | 2039 | 2.10 | 80000 | 129000 | 129999 | 3049 | 1.98 | 129000 |
| 32000 | 32999 | 877 | 2.37 | 32000 | 81000 | 81999 | 2060 | 2.10 | 81000 | 130000 | 130999 | 3069 | 1.98 | 130000 |
| 33000 | 33999 | 900 | 2.26 | 33000 | 82000 | 82999 | 2081 | 2.10 | 82000 | 131000 | 131999 | 3088 | 1.98 | 131000 |
| 34000 | 34999 | 923 | 2.18 | 34000 | 83000 | 83999 | 2102 | 2.10 | 83000 | 132000 | 132999 | 3108 | 1.98 | 132000 |
| 35000 | 35999 | 945 | 1.97 | 35000 | 84000 | 84999 | 2122 | 2.10 | 84000 | 133000 | 133999 | 3128 | 1.98 | 133000 |
| 36000 | 36999 | 965 | 1.99 | 36000 | 85000 | 85999 | 2143 | 2.10 | 85000 | 134000 | 134999 | 3148 | 1.98 | 134000 |
| 37000 | 37999 | 984 | 2.04 | 37000 | 86000 | 86999 | 2164 | 2.10 | 86000 | 135000 | 135999 | 3168 | 1.98 | 135000 |
| 38000 | 38999 | 1005 | 2.09 | 38000 | 87000 | 87999 | 2185 | 2.10 | 87000 | 136000 | 136999 | 3188 | 1.98 | 136000 |
| 39000 | 39999 | 1026 | 2.20 | 39000 | 88000 | 88999 | 2206 | 2.10 | 88000 | 137000 | 137999 | 3208 | 1.98 | 137000 |
| 40000 | 40999 | 1048 | 2.27 | 40000 | 89000 | 89999 | 2227 | 2.10 | 89000 | 138000 | 138999 | 3227 | 1.98 | 138000 |
| 41000 | 41999 | 1070 | 2.34 | 41000 | 90000 | 90999 | 2248 | 2.10 | 90000 | 139000 | 139999 | 3247 | 1.98 | 139000 |
| 42000 | 42999 | 1094 | 2.34 | 42000 | 91000 | 91999 | 2269 | 2.10 | 91000 | 140000 | 140999 | 3267 | 1.98 | 140000 |
| 43000 | 43999 | 1117 | 2.49 | 43000 | 92000 | 92999 | 2290 | 2.10 | 92000 | 141000 | 141999 | 3287 | 1.98 | 141000 |
| 44000 | 44999 | 1142 | 2.76 | 44000 | 93000 | 93999 | 2311 | 2.10 | 93000 | 142000 | 142999 | 3307 | 1.98 | 142000 |
| 45000 | 45999 | 1170 | 2.76 | 45000 | 94000 | 94999 | 2332 | 2.10 | 94000 | 143000 | 143999 | 3327 | 1.98 | 143000 |
| 46000 | 46999 | 1197 | 2.76 | 46000 | 95000 | 95999 | 2353 | 2.10 | 95000 | 144000 | 144999 | 3347 | 1.98 | 144000 |
| 47000 | 47999 | 1225 | 2.76 | 47000 | 96000 | 96999 | 2374 | 2.10 | 96000 | 145000 | 145999 | 3366 | 1.98 | 145000 |
| 48000 | 48999 | 1253 | 2.48 | 48000 | 97000 | 97999 | 2395 | 2.10 | 97000 | 146000 | 146999 | 3386 | 1.98 | 146000 |
| 49000 | 49999 | 1277 | 2.76 | 49000 | 98000 | 98999 | 2416 | 2.10 | 98000 | 147000 | 147999 | 3406 | 1.98 | 147000 |
| 50000 | 50999 | 1305 | 2.76 | 50000 | 99000 | 99999 | 2437 | 2.10 | 99000 | 148000 | 148999 | 3426 | 1.98 | 148000 |
| 51000 | 51999 | 1333 | 2.76 | 51000 | 100000 | 100999 | 2458 | 2.10 | 100000 | 149000 | 149999 | 3446 | 1.98 | 149000 |
| 52000 | 52999 | 1360 | 2.76 | 52000 | 101000 | 101999 | 2479 | 2.10 | 101000 | 150000 | or greater /ou plus | 3466 | 1.98 | 150000 |
| 53000 | 53999 | 1388 | 2.76 | 53000 | 102000 | 102999 | 2500 | 2.10 | 102000 | | | | | |
| 54000 | 54999 | 1415 | 2.76 | 54000 | 103000 | 103999 | 2521 | 2.10 | 103000 | | | | | |
| 55000 | 55999 | 1443 | 2.76 | 55000 | 104000 | 104999 | 2542 | 2.10 | 104000 | | | | | |

CHILD SUPPORT TABLE FOR ONTARIO NO. OF CHILDREN: SIX OR MORE

| Income/ Revenu (\$) | | Monthly Award/ Païement mensuel (\$) | | | Income/Revenu (\$) | | Monthly Award/ Païement mensuel (\$) | | | Income/Revenu (\$) | | Monthly Award/ Païement mensuel (\$) | | |
|------------------------|-------|---|-------------|---|-----------------------|--------|---|-------------|---|-----------------------|------------------------|---|-------------|---|
| From/ De | To/A | Basic Amount/ Montant de base | Plus (%) | of Income over/du revenu dépassant | From/ De | To/A | Basic Amount/ Montant de base | Plus (%) | of Income over/du revenu dépassant | From/ De | To/A | Basic Amount/ Montant de base | Plus (%) | of Income over/du revenu dépassant |
| 0 | 7999 | 0 | | | 56000 | 56999 | 1607 | 2.99 | 56000 | 105000 | 105999 | 2816 | 2.30 | 105000 |
| 8000 | 8999 | 0 | 2.01 | 8000 | 57000 | 57999 | 1637 | 2.99 | 57000 | 106000 | 106999 | 2839 | 2.30 | 106000 |
| 9000 | 9999 | 20 | 5.01 | 9000 | 58000 | 58999 | 1666 | 2.99 | 58000 | 107000 | 107999 | 2862 | 2.30 | 107000 |
| 10000 | 10999 | 70 | 5.01 | 10000 | 59000 | 59999 | 1696 | 2.99 | 59000 | 108000 | 108999 | 2885 | 2.30 | 108000 |
| 11000 | 11999 | 120 | 4.84 | 11000 | 60000 | 60999 | 1726 | 2.93 | 60000 | 109000 | 109999 | 2908 | 2.30 | 109000 |
| 12000 | 12999 | 169 | 4.31 | 12000 | 61000 | 61999 | 1756 | 2.88 | 61000 | 110000 | 110999 | 2931 | 2.30 | 110000 |
| 13000 | 13999 | 212 | 4.22 | 13000 | 62000 | 62999 | 1784 | 2.88 | 62000 | 111000 | 111999 | 2954 | 2.30 | 111000 |
| 14000 | 14999 | 254 | 4.18 | 14000 | 63000 | 63999 | 1813 | 2.88 | 63000 | 112000 | 112999 | 2977 | 2.30 | 112000 |
| 15000 | 15999 | 296 | 4.51 | 15000 | 64000 | 64999 | 1842 | 2.88 | 64000 | 113000 | 113999 | 3000 | 2.27 | 113000 |
| 16000 | 16999 | 341 | 4.53 | 16000 | 65000 | 65999 | 1871 | 2.95 | 65000 | 114000 | 114999 | 3023 | 2.18 | 114000 |
| 17000 | 17999 | 386 | 4.53 | 17000 | 66000 | 66999 | 1900 | 2.94 | 66000 | 115000 | 115999 | 3044 | 2.18 | 115000 |
| 18000 | 18999 | 432 | 4.53 | 18000 | 67000 | 67999 | 1930 | 2.91 | 67000 | 116000 | 116999 | 3066 | 2.18 | 116000 |
| 19000 | 19999 | 477 | 4.53 | 19000 | 68000 | 68999 | 1959 | 2.91 | 68000 | 117000 | 117999 | 3088 | 2.18 | 117000 |
| 20000 | 20999 | 522 | 4.35 | 20000 | 69000 | 69999 | 1988 | 2.91 | 69000 | 118000 | 118999 | 3110 | 2.18 | 118000 |
| 21000 | 21999 | 566 | 4.35 | 21000 | 70000 | 70999 | 2017 | 2.39 | 70000 | 119000 | 119999 | 3131 | 2.18 | 119000 |
| 22000 | 22999 | 609 | 4.35 | 22000 | 71000 | 71999 | 2041 | 2.21 | 71000 | 120000 | 120999 | 3153 | 2.18 | 120000 |
| 23000 | 23999 | 653 | 4.35 | 23000 | 72000 | 72999 | 2063 | 1.91 | 72000 | 121000 | 121999 | 3175 | 2.18 | 121000 |
| 24000 | 24999 | 696 | 4.35 | 24000 | 73000 | 73999 | 2082 | 2.21 | 73000 | 122000 | 122999 | 3197 | 2.18 | 122000 |
| 25000 | 25999 | 740 | 4.53 | 25000 | 74000 | 74999 | 2104 | 2.27 | 74000 | 123000 | 123999 | 3218 | 2.18 | 123000 |
| 26000 | 26999 | 785 | 4.53 | 26000 | 75000 | 75999 | 2127 | 2.30 | 75000 | 124000 | 124999 | 3240 | 2.18 | 124000 |
| 27000 | 27999 | 830 | 3.27 | 27000 | 76000 | 76999 | 2150 | 2.30 | 76000 | 125000 | 125999 | 3262 | 2.18 | 125000 |
| 28000 | 28999 | 863 | 2.83 | 28000 | 77000 | 77999 | 2173 | 2.30 | 77000 | 126000 | 126999 | 3284 | 2.18 | 126000 |
| 29000 | 29999 | 891 | 2.70 | 29000 | 78000 | 78999 | 2196 | 2.30 | 78000 | 127000 | 127999 | 3305 | 2.18 | 127000 |
| 30000 | 30999 | 918 | 2.62 | 30000 | 79000 | 79999 | 2219 | 2.30 | 79000 | 128000 | 128999 | 3327 | 2.18 | 128000 |
| 31000 | 31999 | 945 | 2.62 | 31000 | 80000 | 80999 | 2242 | 2.30 | 80000 | 129000 | 129999 | 3349 | 2.18 | 129000 |
| 32000 | 32999 | 971 | 2.62 | 32000 | 81000 | 81999 | 2265 | 2.30 | 81000 | 130000 | 130999 | 3371 | 2.18 | 130000 |
| 33000 | 33999 | 997 | 2.50 | 33000 | 82000 | 82999 | 2288 | 2.30 | 82000 | 131000 | 131999 | 3392 | 2.18 | 131000 |
| 34000 | 34999 | 1022 | 2.43 | 34000 | 83000 | 83999 | 2311 | 2.30 | 83000 | 132000 | 132999 | 3414 | 2.18 | 132000 |
| 35000 | 35999 | 1046 | 2.19 | 35000 | 84000 | 84999 | 2334 | 2.30 | 84000 | 133000 | 133999 | 3436 | 2.18 | 133000 |
| 36000 | 36999 | 1068 | 2.21 | 36000 | 85000 | 85999 | 2356 | 2.30 | 85000 | 134000 | 134999 | 3458 | 2.18 | 134000 |
| 37000 | 37999 | 1090 | 2.27 | 37000 | 86000 | 86999 | 2379 | 2.30 | 86000 | 135000 | 135999 | 3479 | 2.18 | 135000 |
| 38000 | 38999 | 1113 | 2.33 | 38000 | 87000 | 87999 | 2402 | 2.30 | 87000 | 136000 | 136999 | 3501 | 2.18 | 136000 |
| 39000 | 39999 | 1136 | 2.45 | 39000 | 88000 | 88999 | 2425 | 2.30 | 88000 | 137000 | 137999 | 3523 | 2.18 | 137000 |
| 40000 | 40999 | 1161 | 2.52 | 40000 | 89000 | 89999 | 2448 | 2.30 | 89000 | 138000 | 138999 | 3545 | 2.18 | 138000 |
| 41000 | 41999 | 1186 | 2.60 | 41000 | 90000 | 90999 | 2471 | 2.30 | 90000 | 139000 | 139999 | 3566 | 2.18 | 139000 |
| 42000 | 42999 | 1212 | 2.60 | 42000 | 91000 | 91999 | 2494 | 2.30 | 91000 | 140000 | 140999 | 3588 | 2.18 | 140000 |
| 43000 | 43999 | 1238 | 2.60 | 43000 | 92000 | 92999 | 2517 | 2.30 | 92000 | 141000 | 141999 | 3610 | 2.18 | 141000 |
| 44000 | 44999 | 1264 | 2.60 | 44000 | 93000 | 93999 | 2540 | 2.30 | 93000 | 142000 | 142999 | 3632 | 2.18 | 142000 |
| 45000 | 45999 | 1290 | 2.60 | 45000 | 94000 | 94999 | 2563 | 2.30 | 94000 | 143000 | 143999 | 3653 | 2.18 | 143000 |
| 46000 | 46999 | 1316 | 2.60 | 46000 | 95000 | 95999 | 2586 | 2.30 | 95000 | 144000 | 144999 | 3675 | 2.18 | 144000 |
| 47000 | 47999 | 1342 | 2.84 | 47000 | 96000 | 96999 | 2609 | 2.30 | 96000 | 145000 | 145999 | 3697 | 2.18 | 145000 |
| 48000 | 48999 | 1370 | 2.69 | 48000 | 97000 | 97999 | 2632 | 2.30 | 97000 | 146000 | 146999 | 3719 | 2.18 | 146000 |
| 49000 | 49999 | 1397 | 2.99 | 49000 | 98000 | 98999 | 2655 | 2.30 | 98000 | 147000 | 147999 | 3740 | 2.18 | 147000 |
| 50000 | 50999 | 1427 | 2.99 | 50000 | 99000 | 99999 | 2678 | 2.30 | 99000 | 148000 | 148999 | 3762 | 2.18 | 148000 |
| 51000 | 51999 | 1457 | 2.99 | 51000 | 100000 | 100999 | 2701 | 2.30 | 100000 | 149000 | 149999 | 3784 | 2.18 | 149000 |
| 52000 | 52999 | 1487 | 2.99 | 52000 | 101000 | 101999 | 2724 | 2.30 | 101000 | 150000 | or greater /ou plus | 3806 | 2.18 | 150000 |
| 53000 | 53999 | 1517 | 2.99 | 53000 | 102000 | 102999 | 2747 | 2.30 | 102000 | | | | | |
| 54000 | 54999 | 1547 | 2.99 | 54000 | 103000 | 103999 | 2770 | 2.30 | 103000 | | | | | |
| 55000 | 55999 | 1577 | 2.99 | 55000 | 104000 | 104999 | 2793 | 2.30 | 104000 | | | | | |

5. (1) The definition of “taxable income” in section 1 of Schedule II to the Regulation is amended by striking out “Canada Customs and Revenue Agency” and substituting “Canada Revenue Agency”.

(2) Step 1 in section 2 of Schedule II to the Regulation is revoked and the following substituted:

STEP 1

Establish the annual income of each person in each household by applying the formula

$$A - B - C$$

where

A is the person’s income determined under sections 15 to 20 of these guidelines,

B is the federal and provincial taxes payable on the person’s taxable income, and

C is the person’s source deductions for premiums paid under the *Employment Insurance Act* and contributions made to the *Canada Pension Plan* and the *Quebec Pension Plan*.

Where the information on which to base the income determination is not provided, the court may impute income in the amount it considers appropriate.

6. Section 2 of Schedule III to the Regulation is amended by striking out “Canada Customs and Revenue Agency” and substituting “Canada Revenue Agency”.

7. This Regulation comes into force on May 1, 2006.

RÈGLEMENT DE L’ONTARIO 102/06

pris en application de la

LOI SUR LE DROIT DE LA FAMILLE

pris le 29 mars 2006

déposé le 31 mars 2006

publié sur le site Lois-en-ligne le 4 avril 2006

imprimé dans la *Gazette de l’Ontario* le 15 avril 2006

modifiant le Règl. de l’Ont. 391/97

(Lignes directrices sur les aliments pour les enfants)

Remarque : Le Règlement de l’Ontario 391/97 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l’historique législatif des règlements qui se trouve sur le site www.lois-en-ligne.gouv.on.ca.

1. L’article 7 du Règlement de l’Ontario 391/97 est modifié par adjonction du paragraphe suivant :

Définition : frais extraordinaires

(1.1) La définition qui suit s’applique aux alinéas (1) d) et f) :

«frais extraordinaires» S’entend :

- a) des frais qui excèdent ceux que le père, la mère ou l’époux demandant une somme pour frais extraordinaires peut raisonnablement assumer, compte tenu de son revenu et de la somme que le père, la mère ou l’époux recevrait en vertu de la table applicable ou, si le tribunal statue que cette somme ne convient pas, de la somme que le tribunal juge indiquée;
- b) si l’alinéa a) ne s’applique pas, des frais que le tribunal considère comme extraordinaires, compte tenu :
 - (i) de leur montant par rapport au revenu du père, de la mère ou de l’époux demandant une somme pour ces frais, y compris celle que le père, la mère ou l’époux recevrait en vertu de la table applicable ou, si le tribunal statue que cette somme ne convient pas, de la somme que le tribunal juge indiquée,

- (ii) de la nature et du nombre de programmes éducatifs et des activités parascolaires,
- (iii) des besoins particuliers et des talents de l'enfant,
- (iv) du coût global des programmes et des activités,
- (v) des autres facteurs similaires que le tribunal estime pertinents.

2. L'article 16 du Règlement est modifié par substitution de «l'Agence du revenu du Canada» à «l'Agence des douanes et du revenu du Canada».

3. L'article 20 du Règlement est abrogé et remplacé par ce qui suit :

Non-résident

20. (1) Sous réserve du paragraphe (2), le revenu annuel du père, de la mère ou de l'époux qui ne réside pas au Canada est déterminé comme si celui-ci ou celle-ci y résidait.

Taux d'imposition effectifs supérieurs

(2) Toutefois, si le père, la mère ou l'époux réside dans un pays où les taux d'imposition effectifs sont substantiellement supérieurs à ceux applicables dans la province ou le territoire où le père, la mère ou l'époux réside habituellement, le revenu annuel du père, de la mère ou de l'époux non résident est celui que le tribunal juge indiqué compte tenu des taux supérieurs.

4. Les tables de l'annexe I du Règlement sont abrogées et remplacées par ce qui suit :

TABLE POUR L'ONTARIO DES ALIMENTS POUR LES ENFANTS N^{BRE} D'ENFANTS : UN

| Income/ Revenu (\$) | | Monthly Award/ Paieement mensuel (\$) | | | Income/Revenu (\$) | | Monthly Award/ Paieement mensuel (\$) | | | Income/Revenu (\$) | | Monthly Award/ Paieement mensuel (\$) | | |
|------------------------|-------|--|-------------|---|-----------------------|--------|--|-------------|---|-----------------------|------------------------|--|-------------|---|
| From/ De | To/A | Basic Amount/ Montant de base | Plus (%) | of Income over/du revenu dépassant | From/ De | To/A | Basic Amount/ Montant de base | Plus (%) | of Income over/du revenu dépassant | From/ De | To/A | Basic Amount/ Montant de base | Plus (%) | of Income over/du revenu dépassant |
| 0 | 7999 | 0 | | | 56000 | 56999 | 519 | 0.96 | 56000 | 105000 | 105999 | 916 | 0.79 | 105000 |
| 8000 | 8999 | 0 | 0.95 | 8000 | 57000 | 57999 | 529 | 0.96 | 57000 | 106000 | 106999 | 924 | 0.79 | 106000 |
| 9000 | 9999 | 9 | 1.89 | 9000 | 58000 | 58999 | 538 | 0.96 | 58000 | 107000 | 107999 | 932 | 0.79 | 107000 |
| 10000 | 10999 | 28 | 1.89 | 10000 | 59000 | 59999 | 548 | 0.96 | 59000 | 108000 | 108999 | 939 | 0.79 | 108000 |
| 11000 | 11999 | 47 | 1.89 | 11000 | 60000 | 60999 | 557 | 0.91 | 60000 | 109000 | 109999 | 947 | 0.79 | 109000 |
| 12000 | 12999 | 66 | 1.89 | 12000 | 61000 | 61999 | 566 | 0.87 | 61000 | 110000 | 110999 | 955 | 0.79 | 110000 |
| 13000 | 13999 | 85 | 1.89 | 13000 | 62000 | 62999 | 575 | 0.87 | 62000 | 111000 | 111999 | 963 | 0.79 | 111000 |
| 14000 | 14999 | 104 | 1.89 | 14000 | 63000 | 63999 | 584 | 0.87 | 63000 | 112000 | 112999 | 971 | 0.79 | 112000 |
| 15000 | 15999 | 123 | 1.68 | 15000 | 64000 | 64999 | 592 | 0.87 | 64000 | 113000 | 113999 | 979 | 0.78 | 113000 |
| 16000 | 16999 | 140 | 0.81 | 16000 | 65000 | 65999 | 601 | 0.93 | 65000 | 114000 | 114999 | 987 | 0.74 | 114000 |
| 17000 | 17999 | 148 | 0.81 | 17000 | 66000 | 66999 | 610 | 0.92 | 66000 | 115000 | 115999 | 994 | 0.74 | 115000 |
| 18000 | 18999 | 156 | 0.81 | 18000 | 67000 | 67999 | 620 | 0.90 | 67000 | 116000 | 116999 | 1001 | 0.74 | 116000 |
| 19000 | 19999 | 164 | 0.81 | 19000 | 68000 | 68999 | 629 | 0.90 | 68000 | 117000 | 117999 | 1009 | 0.74 | 117000 |
| 20000 | 20999 | 172 | 0.77 | 20000 | 69000 | 69999 | 638 | 0.90 | 69000 | 118000 | 118999 | 1016 | 0.74 | 118000 |
| 21000 | 21999 | 180 | 0.77 | 21000 | 70000 | 70999 | 647 | 0.77 | 70000 | 119000 | 119999 | 1024 | 0.74 | 119000 |
| 22000 | 22999 | 188 | 0.77 | 22000 | 71000 | 71999 | 654 | 0.65 | 71000 | 120000 | 120999 | 1031 | 0.74 | 120000 |
| 23000 | 23999 | 195 | 0.77 | 23000 | 72000 | 72999 | 661 | 0.54 | 72000 | 121000 | 121999 | 1039 | 0.74 | 121000 |
| 24000 | 24999 | 203 | 0.77 | 24000 | 73000 | 73999 | 666 | 0.65 | 73000 | 122000 | 122999 | 1046 | 0.74 | 122000 |
| 25000 | 25999 | 211 | 1.13 | 25000 | 74000 | 74999 | 673 | 0.74 | 74000 | 123000 | 123999 | 1053 | 0.74 | 123000 |
| 26000 | 26999 | 222 | 1.20 | 26000 | 75000 | 75999 | 680 | 0.79 | 75000 | 124000 | 124999 | 1061 | 0.74 | 124000 |
| 27000 | 27999 | 234 | 1.20 | 27000 | 76000 | 76999 | 688 | 0.79 | 76000 | 125000 | 125999 | 1068 | 0.74 | 125000 |
| 28000 | 28999 | 246 | 1.20 | 28000 | 77000 | 77999 | 696 | 0.79 | 77000 | 126000 | 126999 | 1076 | 0.74 | 126000 |
| 29000 | 29999 | 258 | 1.16 | 29000 | 78000 | 78999 | 704 | 0.79 | 78000 | 127000 | 127999 | 1083 | 0.74 | 127000 |
| 30000 | 30999 | 270 | 1.13 | 30000 | 79000 | 79999 | 712 | 0.79 | 79000 | 128000 | 128999 | 1091 | 0.74 | 128000 |
| 31000 | 31999 | 281 | 1.13 | 31000 | 80000 | 80999 | 719 | 0.79 | 80000 | 129000 | 129999 | 1098 | 0.74 | 129000 |
| 32000 | 32999 | 293 | 1.13 | 32000 | 81000 | 81999 | 727 | 0.79 | 81000 | 130000 | 130999 | 1106 | 0.74 | 130000 |
| 33000 | 33999 | 304 | 1.17 | 33000 | 82000 | 82999 | 735 | 0.79 | 82000 | 131000 | 131999 | 1113 | 0.74 | 131000 |
| 34000 | 34999 | 316 | 0.94 | 34000 | 83000 | 83999 | 743 | 0.79 | 83000 | 132000 | 132999 | 1120 | 0.74 | 132000 |
| 35000 | 35999 | 325 | 0.81 | 35000 | 84000 | 84999 | 751 | 0.79 | 84000 | 133000 | 133999 | 1128 | 0.74 | 133000 |
| 36000 | 36999 | 333 | 0.82 | 36000 | 85000 | 85999 | 759 | 0.79 | 85000 | 134000 | 134999 | 1135 | 0.74 | 134000 |
| 37000 | 37999 | 341 | 0.84 | 37000 | 86000 | 86999 | 767 | 0.79 | 86000 | 135000 | 135999 | 1143 | 0.74 | 135000 |
| 38000 | 38999 | 350 | 0.86 | 38000 | 87000 | 87999 | 774 | 0.79 | 87000 | 136000 | 136999 | 1150 | 0.74 | 136000 |
| 39000 | 39999 | 358 | 0.90 | 39000 | 88000 | 88999 | 782 | 0.79 | 88000 | 137000 | 137999 | 1158 | 0.74 | 137000 |
| 40000 | 40999 | 367 | 0.93 | 40000 | 89000 | 89999 | 790 | 0.79 | 89000 | 138000 | 138999 | 1165 | 0.74 | 138000 |
| 41000 | 41999 | 377 | 0.96 | 41000 | 90000 | 90999 | 798 | 0.79 | 90000 | 139000 | 139999 | 1173 | 0.74 | 139000 |
| 42000 | 42999 | 386 | 0.96 | 42000 | 91000 | 91999 | 806 | 0.79 | 91000 | 140000 | 140999 | 1180 | 0.74 | 140000 |
| 43000 | 43999 | 396 | 0.96 | 43000 | 92000 | 92999 | 814 | 0.79 | 92000 | 141000 | 141999 | 1187 | 0.74 | 141000 |
| 44000 | 44999 | 405 | 0.96 | 44000 | 93000 | 93999 | 822 | 0.79 | 93000 | 142000 | 142999 | 1195 | 0.74 | 142000 |
| 45000 | 45999 | 415 | 0.96 | 45000 | 94000 | 94999 | 829 | 0.79 | 94000 | 143000 | 143999 | 1202 | 0.74 | 143000 |
| 46000 | 46999 | 425 | 0.96 | 46000 | 95000 | 95999 | 837 | 0.79 | 95000 | 144000 | 144999 | 1210 | 0.74 | 144000 |
| 47000 | 47999 | 434 | 0.96 | 47000 | 96000 | 96999 | 845 | 0.79 | 96000 | 145000 | 145999 | 1217 | 0.74 | 145000 |
| 48000 | 48999 | 444 | 0.85 | 48000 | 97000 | 97999 | 853 | 0.79 | 97000 | 146000 | 146999 | 1225 | 0.74 | 146000 |
| 49000 | 49999 | 452 | 0.96 | 49000 | 98000 | 98999 | 861 | 0.79 | 98000 | 147000 | 147999 | 1232 | 0.74 | 147000 |
| 50000 | 50999 | 462 | 0.96 | 50000 | 99000 | 99999 | 869 | 0.79 | 99000 | 148000 | 148999 | 1240 | 0.74 | 148000 |
| 51000 | 51999 | 471 | 0.96 | 51000 | 100000 | 100999 | 877 | 0.79 | 100000 | 149000 | 149999 | 1247 | 0.74 | 149000 |
| 52000 | 52999 | 481 | 0.96 | 52000 | 101000 | 101999 | 884 | 0.79 | 101000 | 150000 | or greater /ou plus | 1254 | 0.74 | 150000 |
| 53000 | 53999 | 490 | 0.96 | 53000 | 102000 | 102999 | 892 | 0.79 | 102000 | | | | | |
| 54000 | 54999 | 500 | 0.96 | 54000 | 103000 | 103999 | 900 | 0.79 | 103000 | | | | | |
| 55000 | 55999 | 510 | 0.96 | 55000 | 104000 | 104999 | 908 | 0.79 | 104000 | | | | | |

TABLE POUR L'ONTARIO DES ALIMENTS POUR LES ENFANTS N^{BRE} D'ENFANTS : DEUX

| Income/ Revenu (\$) | | Monthly Award/ Paie ment mensuel (\$) | | | Income/Revenu (\$) | | Monthly Award/ Paie ment mensuel (\$) | | | Income/Revenu (\$) | | Monthly Award/ Paie ment mensuel (\$) | | |
|------------------------|-------|--|-------------|---|-----------------------|--------|--|-------------|---|-----------------------|------------------------|--|-------------|---|
| From/ De | To/A | Basic Amount/ Montant de base | Plus (%) | of Income over/du revenu dépassant | From/ De | To/A | Basic Amount/ Montant de base | Plus (%) | of Income over/du revenu dépassant | From/ De | To/A | Basic Amount/ Montant de base | Plus (%) | of Income over/du revenu dépassant |
| 0 | 7999 | 0 | | | 56000 | 56999 | 842 | 1.49 | 56000 | 105000 | 105999 | 1465 | 1.22 | 105000 |
| 8000 | 8999 | 0 | 1.75 | 8000 | 57000 | 57999 | 857 | 1.49 | 57000 | 106000 | 106999 | 1477 | 1.22 | 106000 |
| 9000 | 9999 | 17 | 4.34 | 9000 | 58000 | 58999 | 872 | 1.49 | 58000 | 107000 | 107999 | 1489 | 1.22 | 107000 |
| 10000 | 10999 | 61 | 4.34 | 10000 | 59000 | 59999 | 887 | 1.49 | 59000 | 108000 | 108999 | 1501 | 1.22 | 108000 |
| 11000 | 11999 | 104 | 4.20 | 11000 | 60000 | 60999 | 902 | 1.44 | 60000 | 109000 | 109999 | 1514 | 1.22 | 109000 |
| 12000 | 12999 | 146 | 3.73 | 12000 | 61000 | 61999 | 916 | 1.39 | 61000 | 110000 | 110999 | 1526 | 1.22 | 110000 |
| 13000 | 13999 | 184 | 3.65 | 13000 | 62000 | 62999 | 930 | 1.39 | 62000 | 111000 | 111999 | 1538 | 1.22 | 111000 |
| 14000 | 14999 | 220 | 2.21 | 14000 | 63000 | 63999 | 944 | 1.39 | 63000 | 112000 | 112999 | 1550 | 1.22 | 112000 |
| 15000 | 15999 | 242 | 1.04 | 15000 | 64000 | 64999 | 958 | 1.39 | 64000 | 113000 | 113999 | 1563 | 1.21 | 113000 |
| 16000 | 16999 | 253 | 1.39 | 16000 | 65000 | 65999 | 972 | 1.45 | 65000 | 114000 | 114999 | 1575 | 1.16 | 114000 |
| 17000 | 17999 | 267 | 1.39 | 17000 | 66000 | 66999 | 986 | 1.44 | 66000 | 115000 | 115999 | 1586 | 1.16 | 115000 |
| 18000 | 18999 | 281 | 1.39 | 18000 | 67000 | 67999 | 1001 | 1.40 | 67000 | 116000 | 116999 | 1598 | 1.16 | 116000 |
| 19000 | 19999 | 294 | 1.39 | 19000 | 68000 | 68999 | 1015 | 1.40 | 68000 | 117000 | 117999 | 1609 | 1.16 | 117000 |
| 20000 | 20999 | 308 | 1.33 | 20000 | 69000 | 69999 | 1029 | 1.40 | 69000 | 118000 | 118999 | 1621 | 1.16 | 118000 |
| 21000 | 21999 | 322 | 1.33 | 21000 | 70000 | 70999 | 1043 | 1.24 | 70000 | 119000 | 119999 | 1633 | 1.16 | 119000 |
| 22000 | 22999 | 335 | 1.33 | 22000 | 71000 | 71999 | 1055 | 1.10 | 71000 | 120000 | 120999 | 1644 | 1.16 | 120000 |
| 23000 | 23999 | 348 | 1.33 | 23000 | 72000 | 72999 | 1066 | 0.94 | 72000 | 121000 | 121999 | 1656 | 1.16 | 121000 |
| 24000 | 24999 | 362 | 1.33 | 24000 | 73000 | 73999 | 1075 | 1.10 | 73000 | 122000 | 122999 | 1667 | 1.16 | 122000 |
| 25000 | 25999 | 375 | 1.39 | 25000 | 74000 | 74999 | 1086 | 1.18 | 74000 | 123000 | 123999 | 1679 | 1.16 | 123000 |
| 26000 | 26999 | 389 | 1.39 | 26000 | 75000 | 75999 | 1098 | 1.22 | 75000 | 124000 | 124999 | 1690 | 1.16 | 124000 |
| 27000 | 27999 | 403 | 1.39 | 27000 | 76000 | 76999 | 1110 | 1.22 | 76000 | 125000 | 125999 | 1702 | 1.16 | 125000 |
| 28000 | 28999 | 417 | 1.39 | 28000 | 77000 | 77999 | 1122 | 1.22 | 77000 | 126000 | 126999 | 1714 | 1.16 | 126000 |
| 29000 | 29999 | 431 | 1.33 | 29000 | 78000 | 78999 | 1135 | 1.22 | 78000 | 127000 | 127999 | 1725 | 1.16 | 127000 |
| 30000 | 30999 | 444 | 1.29 | 30000 | 79000 | 79999 | 1147 | 1.22 | 79000 | 128000 | 128999 | 1737 | 1.16 | 128000 |
| 31000 | 31999 | 457 | 1.54 | 31000 | 80000 | 80999 | 1159 | 1.22 | 80000 | 129000 | 129999 | 1748 | 1.16 | 129000 |
| 32000 | 32999 | 472 | 1.63 | 32000 | 81000 | 81999 | 1171 | 1.22 | 81000 | 130000 | 130999 | 1760 | 1.16 | 130000 |
| 33000 | 33999 | 488 | 1.65 | 33000 | 82000 | 82999 | 1184 | 1.22 | 82000 | 131000 | 131999 | 1772 | 1.16 | 131000 |
| 34000 | 34999 | 505 | 1.66 | 34000 | 83000 | 83999 | 1196 | 1.22 | 83000 | 132000 | 132999 | 1783 | 1.16 | 132000 |
| 35000 | 35999 | 521 | 1.54 | 35000 | 84000 | 84999 | 1208 | 1.22 | 84000 | 133000 | 133999 | 1795 | 1.16 | 133000 |
| 36000 | 36999 | 537 | 1.55 | 36000 | 85000 | 85999 | 1220 | 1.22 | 85000 | 134000 | 134999 | 1806 | 1.16 | 134000 |
| 37000 | 37999 | 552 | 1.58 | 37000 | 86000 | 86999 | 1232 | 1.22 | 86000 | 135000 | 135999 | 1818 | 1.16 | 135000 |
| 38000 | 38999 | 568 | 1.61 | 38000 | 87000 | 87999 | 1245 | 1.22 | 87000 | 136000 | 136999 | 1829 | 1.16 | 136000 |
| 39000 | 39999 | 584 | 1.68 | 39000 | 88000 | 88999 | 1257 | 1.22 | 88000 | 137000 | 137999 | 1841 | 1.16 | 137000 |
| 40000 | 40999 | 601 | 1.72 | 40000 | 89000 | 89999 | 1269 | 1.22 | 89000 | 138000 | 138999 | 1853 | 1.16 | 138000 |
| 41000 | 41999 | 618 | 1.75 | 41000 | 90000 | 90999 | 1281 | 1.22 | 90000 | 139000 | 139999 | 1864 | 1.16 | 139000 |
| 42000 | 42999 | 636 | 1.49 | 42000 | 91000 | 91999 | 1294 | 1.22 | 91000 | 140000 | 140999 | 1876 | 1.16 | 140000 |
| 43000 | 43999 | 651 | 1.49 | 43000 | 92000 | 92999 | 1306 | 1.22 | 92000 | 141000 | 141999 | 1887 | 1.16 | 141000 |
| 44000 | 44999 | 665 | 1.49 | 44000 | 93000 | 93999 | 1318 | 1.22 | 93000 | 142000 | 142999 | 1899 | 1.16 | 142000 |
| 45000 | 45999 | 680 | 1.49 | 45000 | 94000 | 94999 | 1330 | 1.22 | 94000 | 143000 | 143999 | 1910 | 1.16 | 143000 |
| 46000 | 46999 | 695 | 1.49 | 46000 | 95000 | 95999 | 1343 | 1.22 | 95000 | 144000 | 144999 | 1922 | 1.16 | 144000 |
| 47000 | 47999 | 710 | 1.49 | 47000 | 96000 | 96999 | 1355 | 1.22 | 96000 | 145000 | 145999 | 1934 | 1.16 | 145000 |
| 48000 | 48999 | 725 | 1.33 | 48000 | 97000 | 97999 | 1367 | 1.22 | 97000 | 146000 | 146999 | 1945 | 1.16 | 146000 |
| 49000 | 49999 | 738 | 1.49 | 49000 | 98000 | 98999 | 1379 | 1.22 | 98000 | 147000 | 147999 | 1957 | 1.16 | 147000 |
| 50000 | 50999 | 753 | 1.49 | 50000 | 99000 | 99999 | 1391 | 1.22 | 99000 | 148000 | 148999 | 1968 | 1.16 | 148000 |
| 51000 | 51999 | 768 | 1.49 | 51000 | 100000 | 100999 | 1404 | 1.22 | 100000 | 149000 | 149999 | 1980 | 1.16 | 149000 |
| 52000 | 52999 | 783 | 1.49 | 52000 | 101000 | 101999 | 1416 | 1.22 | 101000 | 150000 | or greater /ou plus | 1992 | 1.16 | 150000 |
| 53000 | 53999 | 798 | 1.49 | 53000 | 102000 | 102999 | 1428 | 1.22 | 102000 | | | | | |
| 54000 | 54999 | 813 | 1.49 | 54000 | 103000 | 103999 | 1440 | 1.22 | 103000 | | | | | |
| 55000 | 55999 | 827 | 1.49 | 55000 | 104000 | 104999 | 1453 | 1.22 | 104000 | | | | | |

TABLE POUR L'ONTARIO DES ALIMENTS POUR LES ENFANTS N^{BRE} D'ENFANTS : TROIS

| Income/ Revenu (\$) | | Monthly Award/ Paieement mensuel (\$) | | | Income/Revenu (\$) | | Monthly Award/ Paieement mensuel (\$) | | | Income/Revenu (\$) | | Monthly Award/ Paieement mensuel (\$) | | |
|------------------------|-------|--|-------------|---|-----------------------|--------|--|-------------|---|-----------------------|------------------------|--|------|---|
| From/ De | To/A | Basic Amount/ Montant de base | Plus (%) | of Income over/du revenu dépassant | From/ De | To/A | Basic Amount/ Montant de base | Plus (%) | of Income over/du revenu dépassant | From/ De | To/A | Basic Amount/ Montant de base | (%) | of Income over/du revenu dépassant |
| 0 | 7999 | 0 | | | 56000 | 56999 | 1101 | 1.91 | 56000 | 105000 | 105999 | 1904 | 1.57 | 105000 |
| 8000 | 8999 | 0 | 1.88 | 8000 | 57000 | 57999 | 1120 | 1.91 | 57000 | 106000 | 106999 | 1920 | 1.57 | 106000 |
| 9000 | 9999 | 19 | 4.68 | 9000 | 58000 | 58999 | 1139 | 1.91 | 58000 | 107000 | 107999 | 1935 | 1.57 | 107000 |
| 10000 | 10999 | 66 | 4.68 | 10000 | 59000 | 59999 | 1158 | 1.91 | 59000 | 108000 | 108999 | 1951 | 1.57 | 108000 |
| 11000 | 11999 | 112 | 4.52 | 11000 | 60000 | 60999 | 1177 | 1.86 | 60000 | 109000 | 109999 | 1967 | 1.57 | 109000 |
| 12000 | 12999 | 158 | 4.02 | 12000 | 61000 | 61999 | 1196 | 1.81 | 61000 | 110000 | 110999 | 1983 | 1.57 | 110000 |
| 13000 | 13999 | 198 | 3.93 | 13000 | 62000 | 62999 | 1214 | 1.81 | 62000 | 111000 | 111999 | 1998 | 1.57 | 111000 |
| 14000 | 14999 | 237 | 3.90 | 14000 | 63000 | 63999 | 1232 | 1.81 | 63000 | 112000 | 112999 | 2014 | 1.57 | 112000 |
| 15000 | 15999 | 276 | 4.21 | 15000 | 64000 | 64999 | 1250 | 1.81 | 64000 | 113000 | 113999 | 2030 | 1.56 | 113000 |
| 16000 | 16999 | 318 | 4.23 | 16000 | 65000 | 65999 | 1268 | 1.86 | 65000 | 114000 | 114999 | 2045 | 1.49 | 114000 |
| 17000 | 17999 | 361 | 1.95 | 17000 | 66000 | 66999 | 1287 | 1.85 | 66000 | 115000 | 115999 | 2060 | 1.49 | 115000 |
| 18000 | 18999 | 380 | 1.86 | 18000 | 67000 | 67999 | 1305 | 1.79 | 67000 | 116000 | 116999 | 2075 | 1.49 | 116000 |
| 19000 | 19999 | 399 | 1.86 | 19000 | 68000 | 68999 | 1323 | 1.79 | 68000 | 117000 | 117999 | 2090 | 1.49 | 117000 |
| 20000 | 20999 | 417 | 1.78 | 20000 | 69000 | 69999 | 1341 | 1.79 | 69000 | 118000 | 118999 | 2105 | 1.49 | 118000 |
| 21000 | 21999 | 435 | 1.78 | 21000 | 70000 | 70999 | 1359 | 1.61 | 70000 | 119000 | 119999 | 2120 | 1.49 | 119000 |
| 22000 | 22999 | 453 | 1.78 | 22000 | 71000 | 71999 | 1375 | 1.46 | 71000 | 120000 | 120999 | 2135 | 1.49 | 120000 |
| 23000 | 23999 | 470 | 1.78 | 23000 | 72000 | 72999 | 1390 | 1.25 | 72000 | 121000 | 121999 | 2149 | 1.49 | 121000 |
| 24000 | 24999 | 488 | 1.78 | 24000 | 73000 | 73999 | 1402 | 1.46 | 73000 | 122000 | 122999 | 2164 | 1.49 | 122000 |
| 25000 | 25999 | 506 | 1.86 | 25000 | 74000 | 74999 | 1417 | 1.53 | 74000 | 123000 | 123999 | 2179 | 1.49 | 123000 |
| 26000 | 26999 | 525 | 1.86 | 26000 | 75000 | 75999 | 1432 | 1.57 | 75000 | 124000 | 124999 | 2194 | 1.49 | 124000 |
| 27000 | 27999 | 543 | 1.86 | 27000 | 76000 | 76999 | 1448 | 1.57 | 76000 | 125000 | 125999 | 2209 | 1.49 | 125000 |
| 28000 | 28999 | 562 | 1.86 | 28000 | 77000 | 77999 | 1464 | 1.57 | 77000 | 126000 | 126999 | 2224 | 1.49 | 126000 |
| 29000 | 29999 | 580 | 1.77 | 29000 | 78000 | 78999 | 1479 | 1.57 | 78000 | 127000 | 127999 | 2239 | 1.49 | 127000 |
| 30000 | 30999 | 598 | 1.72 | 30000 | 79000 | 79999 | 1495 | 1.57 | 79000 | 128000 | 128999 | 2254 | 1.49 | 128000 |
| 31000 | 31999 | 615 | 1.72 | 31000 | 80000 | 80999 | 1511 | 1.57 | 80000 | 129000 | 129999 | 2269 | 1.49 | 129000 |
| 32000 | 32999 | 632 | 1.72 | 32000 | 81000 | 81999 | 1527 | 1.57 | 81000 | 130000 | 130999 | 2283 | 1.49 | 130000 |
| 33000 | 33999 | 650 | 1.61 | 33000 | 82000 | 82999 | 1542 | 1.57 | 82000 | 131000 | 131999 | 2298 | 1.49 | 131000 |
| 34000 | 34999 | 666 | 1.55 | 34000 | 83000 | 83999 | 1558 | 1.57 | 83000 | 132000 | 132999 | 2313 | 1.49 | 132000 |
| 35000 | 35999 | 681 | 1.41 | 35000 | 84000 | 84999 | 1574 | 1.57 | 84000 | 133000 | 133999 | 2328 | 1.49 | 133000 |
| 36000 | 36999 | 695 | 1.88 | 36000 | 85000 | 85999 | 1590 | 1.57 | 85000 | 134000 | 134999 | 2343 | 1.49 | 134000 |
| 37000 | 37999 | 714 | 1.92 | 37000 | 86000 | 86999 | 1605 | 1.57 | 86000 | 135000 | 135999 | 2358 | 1.49 | 135000 |
| 38000 | 38999 | 733 | 1.96 | 38000 | 87000 | 87999 | 1621 | 1.57 | 87000 | 136000 | 136999 | 2373 | 1.49 | 136000 |
| 39000 | 39999 | 753 | 2.05 | 39000 | 88000 | 88999 | 1637 | 1.57 | 88000 | 137000 | 137999 | 2388 | 1.49 | 137000 |
| 40000 | 40999 | 773 | 2.11 | 40000 | 89000 | 89999 | 1652 | 1.57 | 89000 | 138000 | 138999 | 2403 | 1.49 | 138000 |
| 41000 | 41999 | 795 | 2.17 | 41000 | 90000 | 90999 | 1668 | 1.57 | 90000 | 139000 | 139999 | 2417 | 1.49 | 139000 |
| 42000 | 42999 | 816 | 2.17 | 42000 | 91000 | 91999 | 1684 | 1.57 | 91000 | 140000 | 140999 | 2432 | 1.49 | 140000 |
| 43000 | 43999 | 838 | 2.17 | 43000 | 92000 | 92999 | 1700 | 1.57 | 92000 | 141000 | 141999 | 2447 | 1.49 | 141000 |
| 44000 | 44999 | 860 | 2.17 | 44000 | 93000 | 93999 | 1715 | 1.57 | 93000 | 142000 | 142999 | 2462 | 1.49 | 142000 |
| 45000 | 45999 | 881 | 2.17 | 45000 | 94000 | 94999 | 1731 | 1.57 | 94000 | 143000 | 143999 | 2477 | 1.49 | 143000 |
| 46000 | 46999 | 903 | 2.17 | 46000 | 95000 | 95999 | 1747 | 1.57 | 95000 | 144000 | 144999 | 2492 | 1.49 | 144000 |
| 47000 | 47999 | 925 | 2.17 | 47000 | 96000 | 96999 | 1762 | 1.57 | 96000 | 145000 | 145999 | 2507 | 1.49 | 145000 |
| 48000 | 48999 | 946 | 1.96 | 48000 | 97000 | 97999 | 1778 | 1.57 | 97000 | 146000 | 146999 | 2522 | 1.49 | 146000 |
| 49000 | 49999 | 966 | 2.02 | 49000 | 98000 | 98999 | 1794 | 1.57 | 98000 | 147000 | 147999 | 2536 | 1.49 | 147000 |
| 50000 | 50999 | 986 | 1.91 | 50000 | 99000 | 99999 | 1810 | 1.57 | 99000 | 148000 | 148999 | 2551 | 1.49 | 148000 |
| 51000 | 51999 | 1005 | 1.91 | 51000 | 100000 | 100999 | 1825 | 1.57 | 100000 | 149000 | 149999 | 2566 | 1.49 | 149000 |
| 52000 | 52999 | 1024 | 1.91 | 52000 | 101000 | 101999 | 1841 | 1.57 | 101000 | 150000 | or greater /ou plus | 2581 | 1.49 | 150000 |
| 53000 | 53999 | 1043 | 1.91 | 53000 | 102000 | 102999 | 1857 | 1.57 | 102000 | | | | | |
| 54000 | 54999 | 1063 | 1.91 | 54000 | 103000 | 103999 | 1872 | 1.57 | 103000 | | | | | |
| 55000 | 55999 | 1082 | 1.91 | 55000 | 104000 | 104999 | 1888 | 1.57 | 104000 | | | | | |

TABLE POUR L'ONTARIO DES ALIMENTS POUR LES ENFANTS N^{BRE} D'ENFANTS : QUATRE

| Income/ Revenu (\$) | | Monthly Award/ Païement mensuel (\$) | | | Income/Revenu (\$) | | Monthly Award/ Païement mensuel (\$) | | | Income/Revenu (\$) | | Monthly Award/ Païement mensuel (\$) | | |
|------------------------|-------|---|-------------|---|-----------------------|--------|---|-------------|---|-----------------------|------------------------|---|-------------|---|
| From/ De | To/A | Basic Amount/ Montant de base | Plus (%) | of Income over/du revenu dépassant | From/ De | To/A | Basic Amount/ Montant de base | Plus (%) | of Income over/du revenu dépassant | From/ De | To/A | Basic Amount/ Montant de base | Plus (%) | of Income over/du revenu dépassant |
| 0 | 7999 | 0 | | | 56000 | 56999 | 1310 | 2.47 | 56000 | 105000 | 105999 | 2263 | 1.86 | 105000 |
| 8000 | 8999 | 0 | 2.01 | 8000 | 57000 | 57999 | 1335 | 2.26 | 57000 | 106000 | 106999 | 2282 | 1.86 | 106000 |
| 9000 | 9999 | 20 | 5.01 | 9000 | 58000 | 58999 | 1358 | 2.26 | 58000 | 107000 | 107999 | 2300 | 1.86 | 107000 |
| 10000 | 10999 | 70 | 5.01 | 10000 | 59000 | 59999 | 1380 | 2.26 | 59000 | 108000 | 108999 | 2319 | 1.86 | 108000 |
| 11000 | 11999 | 120 | 4.84 | 11000 | 60000 | 60999 | 1403 | 2.21 | 60000 | 109000 | 109999 | 2338 | 1.86 | 109000 |
| 12000 | 12999 | 169 | 4.31 | 12000 | 61000 | 61999 | 1425 | 2.15 | 61000 | 110000 | 110999 | 2356 | 1.86 | 110000 |
| 13000 | 13999 | 212 | 4.22 | 13000 | 62000 | 62999 | 1446 | 2.15 | 62000 | 111000 | 111999 | 2375 | 1.86 | 111000 |
| 14000 | 14999 | 254 | 4.18 | 14000 | 63000 | 63999 | 1468 | 2.15 | 63000 | 112000 | 112999 | 2393 | 1.86 | 112000 |
| 15000 | 15999 | 296 | 4.51 | 15000 | 64000 | 64999 | 1489 | 2.15 | 64000 | 113000 | 113999 | 2412 | 1.84 | 113000 |
| 16000 | 16999 | 341 | 4.53 | 16000 | 65000 | 65999 | 1511 | 2.20 | 65000 | 114000 | 114999 | 2430 | 1.76 | 114000 |
| 17000 | 17999 | 386 | 4.53 | 17000 | 66000 | 66999 | 1533 | 2.18 | 66000 | 115000 | 115999 | 2448 | 1.76 | 115000 |
| 18000 | 18999 | 432 | 4.53 | 18000 | 67000 | 67999 | 1555 | 2.12 | 67000 | 116000 | 116999 | 2465 | 1.76 | 116000 |
| 19000 | 19999 | 477 | 2.92 | 19000 | 68000 | 68999 | 1576 | 2.12 | 68000 | 117000 | 117999 | 2483 | 1.76 | 117000 |
| 20000 | 20999 | 506 | 2.14 | 20000 | 69000 | 69999 | 1597 | 2.12 | 69000 | 118000 | 118999 | 2501 | 1.76 | 118000 |
| 21000 | 21999 | 528 | 2.14 | 21000 | 70000 | 70999 | 1618 | 1.91 | 70000 | 119000 | 119999 | 2518 | 1.76 | 119000 |
| 22000 | 22999 | 549 | 2.14 | 22000 | 71000 | 71999 | 1637 | 1.76 | 71000 | 120000 | 120999 | 2536 | 1.76 | 120000 |
| 23000 | 23999 | 570 | 2.14 | 23000 | 72000 | 72999 | 1655 | 1.51 | 72000 | 121000 | 121999 | 2553 | 1.76 | 121000 |
| 24000 | 24999 | 592 | 2.14 | 24000 | 73000 | 73999 | 1670 | 1.76 | 73000 | 122000 | 122999 | 2571 | 1.76 | 122000 |
| 25000 | 25999 | 613 | 2.24 | 25000 | 74000 | 74999 | 1688 | 1.82 | 74000 | 123000 | 123999 | 2589 | 1.76 | 123000 |
| 26000 | 26999 | 636 | 2.24 | 26000 | 75000 | 75999 | 1706 | 1.86 | 75000 | 124000 | 124999 | 2606 | 1.76 | 124000 |
| 27000 | 27999 | 658 | 2.24 | 27000 | 76000 | 76999 | 1724 | 1.86 | 76000 | 125000 | 125999 | 2624 | 1.76 | 125000 |
| 28000 | 28999 | 680 | 2.24 | 28000 | 77000 | 77999 | 1743 | 1.86 | 77000 | 126000 | 126999 | 2641 | 1.76 | 126000 |
| 29000 | 29999 | 703 | 2.14 | 29000 | 78000 | 78999 | 1762 | 1.86 | 78000 | 127000 | 127999 | 2659 | 1.76 | 127000 |
| 30000 | 30999 | 724 | 2.08 | 30000 | 79000 | 79999 | 1780 | 1.86 | 79000 | 128000 | 128999 | 2677 | 1.76 | 128000 |
| 31000 | 31999 | 745 | 2.08 | 31000 | 80000 | 80999 | 1799 | 1.86 | 80000 | 129000 | 129999 | 2694 | 1.76 | 129000 |
| 32000 | 32999 | 766 | 2.08 | 32000 | 81000 | 81999 | 1817 | 1.86 | 81000 | 130000 | 130999 | 2712 | 1.76 | 130000 |
| 33000 | 33999 | 786 | 1.96 | 33000 | 82000 | 82999 | 1836 | 1.86 | 82000 | 131000 | 131999 | 2729 | 1.76 | 131000 |
| 34000 | 34999 | 806 | 1.90 | 34000 | 83000 | 83999 | 1855 | 1.86 | 83000 | 132000 | 132999 | 2747 | 1.76 | 132000 |
| 35000 | 35999 | 825 | 1.70 | 35000 | 84000 | 84999 | 1873 | 1.86 | 84000 | 133000 | 133999 | 2764 | 1.76 | 133000 |
| 36000 | 36999 | 842 | 1.72 | 36000 | 85000 | 85999 | 1892 | 1.86 | 85000 | 134000 | 134999 | 2782 | 1.76 | 134000 |
| 37000 | 37999 | 859 | 1.76 | 37000 | 86000 | 86999 | 1910 | 1.86 | 86000 | 135000 | 135999 | 2800 | 1.76 | 135000 |
| 38000 | 38999 | 877 | 1.81 | 38000 | 87000 | 87999 | 1929 | 1.86 | 87000 | 136000 | 136999 | 2817 | 1.76 | 136000 |
| 39000 | 39999 | 895 | 1.97 | 39000 | 88000 | 88999 | 1947 | 1.86 | 88000 | 137000 | 137999 | 2835 | 1.76 | 137000 |
| 40000 | 40999 | 915 | 2.42 | 40000 | 89000 | 89999 | 1966 | 1.86 | 89000 | 138000 | 138999 | 2852 | 1.76 | 138000 |
| 41000 | 41999 | 939 | 2.49 | 41000 | 90000 | 90999 | 1985 | 1.86 | 90000 | 139000 | 139999 | 2870 | 1.76 | 139000 |
| 42000 | 42999 | 964 | 2.49 | 42000 | 91000 | 91999 | 2003 | 1.86 | 91000 | 140000 | 140999 | 2888 | 1.76 | 140000 |
| 43000 | 43999 | 989 | 2.49 | 43000 | 92000 | 92999 | 2022 | 1.86 | 92000 | 141000 | 141999 | 2905 | 1.76 | 141000 |
| 44000 | 44999 | 1014 | 2.49 | 44000 | 93000 | 93999 | 2040 | 1.86 | 93000 | 142000 | 142999 | 2923 | 1.76 | 142000 |
| 45000 | 45999 | 1039 | 2.49 | 45000 | 94000 | 94999 | 2059 | 1.86 | 94000 | 143000 | 143999 | 2940 | 1.76 | 143000 |
| 46000 | 46999 | 1064 | 2.49 | 46000 | 95000 | 95999 | 2077 | 1.86 | 95000 | 144000 | 144999 | 2958 | 1.76 | 144000 |
| 47000 | 47999 | 1088 | 2.49 | 47000 | 96000 | 96999 | 2096 | 1.86 | 96000 | 145000 | 145999 | 2976 | 1.76 | 145000 |
| 48000 | 48999 | 1113 | 2.25 | 48000 | 97000 | 97999 | 2115 | 1.86 | 97000 | 146000 | 146999 | 2993 | 1.76 | 146000 |
| 49000 | 49999 | 1136 | 2.49 | 49000 | 98000 | 98999 | 2133 | 1.86 | 98000 | 147000 | 147999 | 3011 | 1.76 | 147000 |
| 50000 | 50999 | 1161 | 2.49 | 50000 | 99000 | 99999 | 2152 | 1.86 | 99000 | 148000 | 148999 | 3028 | 1.76 | 148000 |
| 51000 | 51999 | 1186 | 2.49 | 51000 | 100000 | 100999 | 2170 | 1.86 | 100000 | 149000 | 149999 | 3046 | 1.76 | 149000 |
| 52000 | 52999 | 1211 | 2.49 | 52000 | 101000 | 101999 | 2189 | 1.86 | 101000 | 150000 | or greater /ou plus | 3064 | 1.76 | 150000 |
| 53000 | 53999 | 1235 | 2.49 | 53000 | 102000 | 102999 | 2207 | 1.86 | 102000 | | | | | |
| 54000 | 54999 | 1260 | 2.49 | 54000 | 103000 | 103999 | 2226 | 1.86 | 103000 | | | | | |
| 55000 | 55999 | 1285 | 2.49 | 55000 | 104000 | 104999 | 2245 | 1.86 | 104000 | | | | | |

TABLE POUR L'ONTARIO DES ALIMENTS POUR LES ENFANTS N^{BRE} D'ENFANTS : CINQ

| Income/ Revenu (\$) | | Monthly Award/ Paie ment mensuel (\$) | | | Income/Revenu (\$) | | Monthly Award/ Paie ment mensuel (\$) | | | Income/Revenu (\$) | | Monthly Award/ Paie ment mensuel (\$) | | |
|------------------------|-------|--|-------------|---|-----------------------|--------|--|-------------|---|-----------------------|------------------------|--|-------------|---|
| From/ De | To/A | Basic Amount/ Montant de base | Plus (%) | of Income over/du revenu dépassant | From/ De | To/A | Basic Amount/ Montant de base | Plus (%) | of Income over/du revenu dépassant | From/ De | To/A | Basic Amount/ Montant de base | Plus (%) | of Income over/du revenu dépassant |
| 0 | 7999 | 0 | | | 56000 | 56999 | 1471 | 2.76 | 56000 | 105000 | 105999 | 2563 | 2.10 | 105000 |
| 8000 | 8999 | 0 | 2.01 | 8000 | 57000 | 57999 | 1498 | 2.76 | 57000 | 106000 | 106999 | 2584 | 2.10 | 106000 |
| 9000 | 9999 | 20 | 5.01 | 9000 | 58000 | 58999 | 1526 | 2.76 | 58000 | 107000 | 107999 | 2605 | 2.10 | 107000 |
| 10000 | 10999 | 70 | 5.01 | 10000 | 59000 | 59999 | 1554 | 2.76 | 59000 | 108000 | 108999 | 2626 | 2.10 | 108000 |
| 11000 | 11999 | 120 | 4.84 | 11000 | 60000 | 60999 | 1581 | 2.71 | 60000 | 109000 | 109999 | 2646 | 2.10 | 109000 |
| 12000 | 12999 | 169 | 4.31 | 12000 | 61000 | 61999 | 1608 | 2.65 | 61000 | 110000 | 110999 | 2667 | 2.10 | 110000 |
| 13000 | 13999 | 212 | 4.22 | 13000 | 62000 | 62999 | 1635 | 2.65 | 62000 | 111000 | 111999 | 2688 | 2.10 | 111000 |
| 14000 | 14999 | 254 | 4.18 | 14000 | 63000 | 63999 | 1661 | 2.65 | 63000 | 112000 | 112999 | 2709 | 2.10 | 112000 |
| 15000 | 15999 | 296 | 4.51 | 15000 | 64000 | 64999 | 1688 | 2.53 | 64000 | 113000 | 113999 | 2730 | 2.07 | 113000 |
| 16000 | 16999 | 341 | 4.53 | 16000 | 65000 | 65999 | 1713 | 2.48 | 65000 | 114000 | 114999 | 2751 | 1.98 | 114000 |
| 17000 | 17999 | 386 | 4.53 | 17000 | 66000 | 66999 | 1738 | 2.46 | 66000 | 115000 | 115999 | 2771 | 1.98 | 115000 |
| 18000 | 18999 | 432 | 4.53 | 18000 | 67000 | 67999 | 1763 | 2.39 | 67000 | 116000 | 116999 | 2791 | 1.98 | 116000 |
| 19000 | 19999 | 477 | 4.35 | 19000 | 68000 | 68999 | 1786 | 2.39 | 68000 | 117000 | 117999 | 2811 | 1.98 | 117000 |
| 20000 | 20999 | 522 | 4.35 | 20000 | 69000 | 69999 | 1810 | 2.39 | 69000 | 118000 | 118999 | 2830 | 1.98 | 118000 |
| 21000 | 21999 | 566 | 4.35 | 21000 | 70000 | 70999 | 1834 | 2.16 | 70000 | 119000 | 119999 | 2850 | 1.98 | 119000 |
| 22000 | 22999 | 609 | 4.35 | 22000 | 71000 | 71999 | 1856 | 2.00 | 71000 | 120000 | 120999 | 2870 | 1.98 | 120000 |
| 23000 | 23999 | 653 | 2.55 | 23000 | 72000 | 72999 | 1876 | 1.73 | 72000 | 121000 | 121999 | 2890 | 1.98 | 121000 |
| 24000 | 24999 | 678 | 2.45 | 24000 | 73000 | 73999 | 1893 | 2.00 | 73000 | 122000 | 122999 | 2910 | 1.98 | 122000 |
| 25000 | 25999 | 703 | 2.56 | 25000 | 74000 | 74999 | 1913 | 2.06 | 74000 | 123000 | 123999 | 2930 | 1.98 | 123000 |
| 26000 | 26999 | 728 | 2.56 | 26000 | 75000 | 75999 | 1934 | 2.10 | 75000 | 124000 | 124999 | 2950 | 1.98 | 124000 |
| 27000 | 27999 | 754 | 2.56 | 27000 | 76000 | 76999 | 1955 | 2.10 | 76000 | 125000 | 125999 | 2969 | 1.98 | 125000 |
| 28000 | 28999 | 779 | 2.56 | 28000 | 77000 | 77999 | 1976 | 2.10 | 77000 | 126000 | 126999 | 2989 | 1.98 | 126000 |
| 29000 | 29999 | 805 | 2.44 | 29000 | 78000 | 78999 | 1997 | 2.10 | 78000 | 127000 | 127999 | 3009 | 1.98 | 127000 |
| 30000 | 30999 | 829 | 2.37 | 30000 | 79000 | 79999 | 2018 | 2.10 | 79000 | 128000 | 128999 | 3029 | 1.98 | 128000 |
| 31000 | 31999 | 853 | 2.37 | 31000 | 80000 | 80999 | 2039 | 2.10 | 80000 | 129000 | 129999 | 3049 | 1.98 | 129000 |
| 32000 | 32999 | 877 | 2.37 | 32000 | 81000 | 81999 | 2060 | 2.10 | 81000 | 130000 | 130999 | 3069 | 1.98 | 130000 |
| 33000 | 33999 | 900 | 2.26 | 33000 | 82000 | 82999 | 2081 | 2.10 | 82000 | 131000 | 131999 | 3088 | 1.98 | 131000 |
| 34000 | 34999 | 923 | 2.18 | 34000 | 83000 | 83999 | 2102 | 2.10 | 83000 | 132000 | 132999 | 3108 | 1.98 | 132000 |
| 35000 | 35999 | 945 | 1.97 | 35000 | 84000 | 84999 | 2122 | 2.10 | 84000 | 133000 | 133999 | 3128 | 1.98 | 133000 |
| 36000 | 36999 | 965 | 1.99 | 36000 | 85000 | 85999 | 2143 | 2.10 | 85000 | 134000 | 134999 | 3148 | 1.98 | 134000 |
| 37000 | 37999 | 984 | 2.04 | 37000 | 86000 | 86999 | 2164 | 2.10 | 86000 | 135000 | 135999 | 3168 | 1.98 | 135000 |
| 38000 | 38999 | 1005 | 2.09 | 38000 | 87000 | 87999 | 2185 | 2.10 | 87000 | 136000 | 136999 | 3188 | 1.98 | 136000 |
| 39000 | 39999 | 1026 | 2.20 | 39000 | 88000 | 88999 | 2206 | 2.10 | 88000 | 137000 | 137999 | 3208 | 1.98 | 137000 |
| 40000 | 40999 | 1048 | 2.27 | 40000 | 89000 | 89999 | 2227 | 2.10 | 89000 | 138000 | 138999 | 3227 | 1.98 | 138000 |
| 41000 | 41999 | 1070 | 2.34 | 41000 | 90000 | 90999 | 2248 | 2.10 | 90000 | 139000 | 139999 | 3247 | 1.98 | 139000 |
| 42000 | 42999 | 1094 | 2.34 | 42000 | 91000 | 91999 | 2269 | 2.10 | 91000 | 140000 | 140999 | 3267 | 1.98 | 140000 |
| 43000 | 43999 | 1117 | 2.49 | 43000 | 92000 | 92999 | 2290 | 2.10 | 92000 | 141000 | 141999 | 3287 | 1.98 | 141000 |
| 44000 | 44999 | 1142 | 2.76 | 44000 | 93000 | 93999 | 2311 | 2.10 | 93000 | 142000 | 142999 | 3307 | 1.98 | 142000 |
| 45000 | 45999 | 1170 | 2.76 | 45000 | 94000 | 94999 | 2332 | 2.10 | 94000 | 143000 | 143999 | 3327 | 1.98 | 143000 |
| 46000 | 46999 | 1197 | 2.76 | 46000 | 95000 | 95999 | 2353 | 2.10 | 95000 | 144000 | 144999 | 3347 | 1.98 | 144000 |
| 47000 | 47999 | 1225 | 2.76 | 47000 | 96000 | 96999 | 2374 | 2.10 | 96000 | 145000 | 145999 | 3366 | 1.98 | 145000 |
| 48000 | 48999 | 1253 | 2.48 | 48000 | 97000 | 97999 | 2395 | 2.10 | 97000 | 146000 | 146999 | 3386 | 1.98 | 146000 |
| 49000 | 49999 | 1277 | 2.76 | 49000 | 98000 | 98999 | 2416 | 2.10 | 98000 | 147000 | 147999 | 3406 | 1.98 | 147000 |
| 50000 | 50999 | 1305 | 2.76 | 50000 | 99000 | 99999 | 2437 | 2.10 | 99000 | 148000 | 148999 | 3426 | 1.98 | 148000 |
| 51000 | 51999 | 1333 | 2.76 | 51000 | 100000 | 100999 | 2458 | 2.10 | 100000 | 149000 | 149999 | 3446 | 1.98 | 149000 |
| 52000 | 52999 | 1360 | 2.76 | 52000 | 101000 | 101999 | 2479 | 2.10 | 101000 | 150000 | or greater /ou plus | 3466 | 1.98 | 150000 |
| 53000 | 53999 | 1388 | 2.76 | 53000 | 102000 | 102999 | 2500 | 2.10 | 102000 | | | | | |
| 54000 | 54999 | 1415 | 2.76 | 54000 | 103000 | 103999 | 2521 | 2.10 | 103000 | | | | | |
| 55000 | 55999 | 1443 | 2.76 | 55000 | 104000 | 104999 | 2542 | 2.10 | 104000 | | | | | |

TABLE POUR L'ONTARIO DES ALIMENTS POUR LES ENFANTS N^{BRE} D'ENFANTS : SIX OU PLUS

| Income/ Revenu (\$) | | Monthly Award/ Paie ment mensuel (\$) | | | Income/Revenu (\$) | | Monthly Award/ Paie ment mensuel (\$) | | | Income/Revenu (\$) | | Monthly Award/ Paie ment mensuel (\$) | | |
|------------------------|-------|--|------|---|-----------------------|--------|--|-------------|---|-----------------------|------------------------|--|-------------|---|
| From/ De | To/A | Basic Amount/ Montant de base | (%) | of Income over/du revenu dépassant | From/ De | To/A | Basic Amount/ Montant de base | Plus (%) | of Income over/du revenu dépassant | From/ De | To/A | Basic Amount/ Montant de base | Plus (%) | of Income over/du revenu dépassant |
| 0 | 7999 | 0 | | | 56000 | 56999 | 1607 | 2.99 | 56000 | 105000 | 105999 | 2816 | 2.30 | 105000 |
| 8000 | 8999 | 0 | 2.01 | 8000 | 57000 | 57999 | 1637 | 2.99 | 57000 | 106000 | 106999 | 2839 | 2.30 | 106000 |
| 9000 | 9999 | 20 | 5.01 | 9000 | 58000 | 58999 | 1666 | 2.99 | 58000 | 107000 | 107999 | 2862 | 2.30 | 107000 |
| 10000 | 10999 | 70 | 5.01 | 10000 | 59000 | 59999 | 1696 | 2.99 | 59000 | 108000 | 108999 | 2885 | 2.30 | 108000 |
| 11000 | 11999 | 120 | 4.84 | 11000 | 60000 | 60999 | 1726 | 2.93 | 60000 | 109000 | 109999 | 2908 | 2.30 | 109000 |
| 12000 | 12999 | 169 | 4.31 | 12000 | 61000 | 61999 | 1756 | 2.88 | 61000 | 110000 | 110999 | 2931 | 2.30 | 110000 |
| 13000 | 13999 | 212 | 4.22 | 13000 | 62000 | 62999 | 1784 | 2.88 | 62000 | 111000 | 111999 | 2954 | 2.30 | 111000 |
| 14000 | 14999 | 254 | 4.18 | 14000 | 63000 | 63999 | 1813 | 2.88 | 63000 | 112000 | 112999 | 2977 | 2.30 | 112000 |
| 15000 | 15999 | 296 | 4.51 | 15000 | 64000 | 64999 | 1842 | 2.88 | 64000 | 113000 | 113999 | 3000 | 2.27 | 113000 |
| 16000 | 16999 | 341 | 4.53 | 16000 | 65000 | 65999 | 1871 | 2.95 | 65000 | 114000 | 114999 | 3023 | 2.18 | 114000 |
| 17000 | 17999 | 386 | 4.53 | 17000 | 66000 | 66999 | 1900 | 2.94 | 66000 | 115000 | 115999 | 3044 | 2.18 | 115000 |
| 18000 | 18999 | 432 | 4.53 | 18000 | 67000 | 67999 | 1930 | 2.91 | 67000 | 116000 | 116999 | 3066 | 2.18 | 116000 |
| 19000 | 19999 | 477 | 4.53 | 19000 | 68000 | 68999 | 1959 | 2.91 | 68000 | 117000 | 117999 | 3088 | 2.18 | 117000 |
| 20000 | 20999 | 522 | 4.35 | 20000 | 69000 | 69999 | 1988 | 2.91 | 69000 | 118000 | 118999 | 3110 | 2.18 | 118000 |
| 21000 | 21999 | 566 | 4.35 | 21000 | 70000 | 70999 | 2017 | 2.39 | 70000 | 119000 | 119999 | 3131 | 2.18 | 119000 |
| 22000 | 22999 | 609 | 4.35 | 22000 | 71000 | 71999 | 2041 | 2.21 | 71000 | 120000 | 120999 | 3153 | 2.18 | 120000 |
| 23000 | 23999 | 653 | 4.35 | 23000 | 72000 | 72999 | 2063 | 1.91 | 72000 | 121000 | 121999 | 3175 | 2.18 | 121000 |
| 24000 | 24999 | 696 | 4.35 | 24000 | 73000 | 73999 | 2082 | 2.21 | 73000 | 122000 | 122999 | 3197 | 2.18 | 122000 |
| 25000 | 25999 | 740 | 4.53 | 25000 | 74000 | 74999 | 2104 | 2.27 | 74000 | 123000 | 123999 | 3218 | 2.18 | 123000 |
| 26000 | 26999 | 785 | 4.53 | 26000 | 75000 | 75999 | 2127 | 2.30 | 75000 | 124000 | 124999 | 3240 | 2.18 | 124000 |
| 27000 | 27999 | 830 | 3.27 | 27000 | 76000 | 76999 | 2150 | 2.30 | 76000 | 125000 | 125999 | 3262 | 2.18 | 125000 |
| 28000 | 28999 | 863 | 2.83 | 28000 | 77000 | 77999 | 2173 | 2.30 | 77000 | 126000 | 126999 | 3284 | 2.18 | 126000 |
| 29000 | 29999 | 891 | 2.70 | 29000 | 78000 | 78999 | 2196 | 2.30 | 78000 | 127000 | 127999 | 3305 | 2.18 | 127000 |
| 30000 | 30999 | 918 | 2.62 | 30000 | 79000 | 79999 | 2219 | 2.30 | 79000 | 128000 | 128999 | 3327 | 2.18 | 128000 |
| 31000 | 31999 | 945 | 2.62 | 31000 | 80000 | 80999 | 2242 | 2.30 | 80000 | 129000 | 129999 | 3349 | 2.18 | 129000 |
| 32000 | 32999 | 971 | 2.62 | 32000 | 81000 | 81999 | 2265 | 2.30 | 81000 | 130000 | 130999 | 3371 | 2.18 | 130000 |
| 33000 | 33999 | 997 | 2.50 | 33000 | 82000 | 82999 | 2288 | 2.30 | 82000 | 131000 | 131999 | 3392 | 2.18 | 131000 |
| 34000 | 34999 | 1022 | 2.43 | 34000 | 83000 | 83999 | 2311 | 2.30 | 83000 | 132000 | 132999 | 3414 | 2.18 | 132000 |
| 35000 | 35999 | 1046 | 2.19 | 35000 | 84000 | 84999 | 2334 | 2.30 | 84000 | 133000 | 133999 | 3436 | 2.18 | 133000 |
| 36000 | 36999 | 1068 | 2.21 | 36000 | 85000 | 85999 | 2356 | 2.30 | 85000 | 134000 | 134999 | 3458 | 2.18 | 134000 |
| 37000 | 37999 | 1090 | 2.27 | 37000 | 86000 | 86999 | 2379 | 2.30 | 86000 | 135000 | 135999 | 3479 | 2.18 | 135000 |
| 38000 | 38999 | 1113 | 2.33 | 38000 | 87000 | 87999 | 2402 | 2.30 | 87000 | 136000 | 136999 | 3501 | 2.18 | 136000 |
| 39000 | 39999 | 1136 | 2.45 | 39000 | 88000 | 88999 | 2425 | 2.30 | 88000 | 137000 | 137999 | 3523 | 2.18 | 137000 |
| 40000 | 40999 | 1161 | 2.52 | 40000 | 89000 | 89999 | 2448 | 2.30 | 89000 | 138000 | 138999 | 3545 | 2.18 | 138000 |
| 41000 | 41999 | 1186 | 2.60 | 41000 | 90000 | 90999 | 2471 | 2.30 | 90000 | 139000 | 139999 | 3566 | 2.18 | 139000 |
| 42000 | 42999 | 1212 | 2.60 | 42000 | 91000 | 91999 | 2494 | 2.30 | 91000 | 140000 | 140999 | 3588 | 2.18 | 140000 |
| 43000 | 43999 | 1238 | 2.60 | 43000 | 92000 | 92999 | 2517 | 2.30 | 92000 | 141000 | 141999 | 3610 | 2.18 | 141000 |
| 44000 | 44999 | 1264 | 2.60 | 44000 | 93000 | 93999 | 2540 | 2.30 | 93000 | 142000 | 142999 | 3632 | 2.18 | 142000 |
| 45000 | 45999 | 1290 | 2.60 | 45000 | 94000 | 94999 | 2563 | 2.30 | 94000 | 143000 | 143999 | 3653 | 2.18 | 143000 |
| 46000 | 46999 | 1316 | 2.60 | 46000 | 95000 | 95999 | 2586 | 2.30 | 95000 | 144000 | 144999 | 3675 | 2.18 | 144000 |
| 47000 | 47999 | 1342 | 2.84 | 47000 | 96000 | 96999 | 2609 | 2.30 | 96000 | 145000 | 145999 | 3697 | 2.18 | 145000 |
| 48000 | 48999 | 1370 | 2.69 | 48000 | 97000 | 97999 | 2632 | 2.30 | 97000 | 146000 | 146999 | 3719 | 2.18 | 146000 |
| 49000 | 49999 | 1397 | 2.99 | 49000 | 98000 | 98999 | 2655 | 2.30 | 98000 | 147000 | 147999 | 3740 | 2.18 | 147000 |
| 50000 | 50999 | 1427 | 2.99 | 50000 | 99000 | 99999 | 2678 | 2.30 | 99000 | 148000 | 148999 | 3762 | 2.18 | 148000 |
| 51000 | 51999 | 1457 | 2.99 | 51000 | 100000 | 100999 | 2701 | 2.30 | 100000 | 149000 | 149999 | 3784 | 2.18 | 149000 |
| 52000 | 52999 | 1487 | 2.99 | 52000 | 101000 | 101999 | 2724 | 2.30 | 101000 | 150000 | or greater /ou plus | 3806 | 2.18 | 150000 |
| 53000 | 53999 | 1517 | 2.99 | 53000 | 102000 | 102999 | 2747 | 2.30 | 102000 | | | | | |
| 54000 | 54999 | 1547 | 2.99 | 54000 | 103000 | 103999 | 2770 | 2.30 | 103000 | | | | | |
| 55000 | 55999 | 1577 | 2.99 | 55000 | 104000 | 104999 | 2793 | 2.30 | 104000 | | | | | |

5. (1) La définition de «revenu imposable» à l'article 1 de l'annexe II du Règlement est modifiée par substitution de «l'Agence du revenu du Canada» à «l'Agence des douanes et du revenu du Canada» à la fin de la définition.

(2) L'étape 1 énoncée à l'article 2 de l'annexe II du Règlement est abrogée et remplacée par ce qui suit :

ÉTAPE 1

Établir, pour chaque ménage, le revenu annuel de toutes les personnes du ménage selon la formule suivante :

$$A - B - C$$

où :

A représente le revenu de la personne, déterminé aux termes des articles 15 à 20 des présentes lignes directrices;

B représente les impôts fédéral et provincial à payer sur le revenu imposable de la personne;

C représente les retenues à la source de la personne pour les cotisations payées au titre de la *Loi sur l'assurance-emploi* et les cotisations au *Régime de pensions du Canada* ou au *Régime de rentes du Québec*.

Le tribunal peut, si les renseignements sur le revenu ne lui sont pas fournis, attribuer à la personne le montant de revenu qu'il juge indiqué.

6. L'article 2 de l'annexe III du Règlement est modifiée par substitution de «l'Agence du revenu du Canada» à «l'Agence des douanes et du revenu du Canada» à la fin de l'article.

7. Le présent règlement entre en vigueur le 1^{er} mai 2006.

15/06

ONTARIO REGULATION 103/06

made under the

COLLECTION AGENCIES ACT

Made: March 29, 2006

Filed: March 31, 2006

Published on e-Laws: April 3, 2006

Printed in *The Ontario Gazette*: April 15, 2006

Amending Reg. 74 of R.R.O. 1990

(General)

Note: Regulation 74 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. (1) Clause 2 (5) (a) of Regulation 74 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

(a) the bond of an insurer licensed under the *Insurance Act* to write surety and fidelity insurance;

(2) Clause 2 (5) (c) of the Regulation is revoked and the following substituted:

(c) the bond of a guarantor, other than an insurer licensed under the *Insurance Act* to write surety and fidelity insurance, accompanied by collateral security.

(3) Subsection 2 (8) of the Regulation is amended by striking out “subsection (2)” and substituting “subsection (5)”.

2. Sections 19.2, 20 and 21 of the Regulation are revoked and the following substituted:

PROHIBITED PRACTICES AND METHODS IN THE COLLECTION OF DEBTS

20. In sections 21 to 25,

“contact” includes communication by e-mail or voice mail;

“debtor’s employer” includes any and all of the employer’s employees;

“spouse” means,

(a) a spouse as defined in section 1 of the *Family Law Act*, or

(b) either of two persons who live together in a conjugal relationship outside marriage.

21. (1) No collection agency or collector shall demand payment, or otherwise attempt to collect payment, of a debt from a debtor unless the collection agency or collector has sent the debtor, by ordinary mail, a private written notice setting out the following information:

1. The name of the creditor to whom the debt is owed.
2. The balance owing on the debt.
3. The identity of the collection agency or collector who is demanding payment of the debt.
4. The authority of the collection agency or collector to demand payment of the debt.

(2) No collection agency or collector shall make a telephone call to or a personal call on the debtor before the sixth day after mailing the written notice required by subsection (1).

(3) Subsection (1) does not require that the written notice be sent before a written demand for payment but is satisfied if the written demand for payment is contained in the written notice.

(4) If a debtor states to a collection agency or collector that the debtor has not received the notice required by subsection (1), the collection agency or collector shall send the notice to the debtor at the address provided by the debtor, and no demand for payment, or other attempt to collect payment, of the debt shall be made before the sixth day after the day the notice is sent.

22. (1) If a debtor sends a collection agency or collector, by registered mail, a letter stating that the debtor disputes the debt and suggests that the matter be taken to court, the collection agency or collector shall not thereafter contact or attempt to contact the debtor, unless the debtor consents to or requests the contact.

(2) If a debtor or his or her lawyer sends a collection agency or collector, by registered mail, a letter requesting that the collection agency or collector communicate only with the debtor's lawyer and setting out the lawyer's address and telephone number, the collection agency or collector shall not thereafter contact or attempt to contact the debtor other than through the debtor's lawyer, unless the debtor consents to or requests the contact.

(3) No collection agency or collector shall contact or attempt to contact the debtor's spouse, a member of the debtor's family or household, or a relative, neighbour, friend or acquaintance of the debtor unless,

- (a) the person being contacted has guaranteed to pay the debt and the contact is in respect of that guarantee;
- (b) the debtor has requested the collection agency or collector to discuss the debt with the person being contacted; or
- (c) the collection agency or collector does not have the debtor's home address or home telephone number and the contact is for the sole purpose of obtaining the debtor's home address or home telephone number.

(4) No collection agency or collector shall contact or attempt to contact the debtor's employer unless,

- (a) the employer has guaranteed to pay the debt and the contact is in respect of that guarantee;
- (b) the debtor has given the collection agency or collector written authorization to contact the debtor's employer;
- (c) the contact occurs only once and is for the sole purpose of confirming one or more of the debtor's employment, the debtor's business title and the debtor's business address; or

(d) the contact is in respect of payments pursuant to,

- (i) a wage assignment given to a credit union within the meaning of the *Credit Unions and Caisses Populaires Act, 1994*, or to a caisse populaire within the meaning of that Act, or
- (ii) an order or judgment made by a court in favour of the collection agency or collector or of a creditor who is a client of the collection agency or collector.

(5) No collection agency or collector shall,

- (a) collect or attempt to collect a debt from a person who the collection agency or collector knows or reasonably ought to know is not liable for the debt; or
- (b) contact or attempt to contact a person for the purpose of collecting a debt if the person has informed the collection agency or collector that the person is not who the collection agency or collector intends to contact, unless the collection agency or collector first takes all reasonable precautions to ensure that the person is, in fact, who the collection agency or collector intends to contact.

(6) No collection agency or collector shall engage in conduct described in any of the following paragraphs with respect to the debtor, the debtor's spouse, a member of the debtor's family or household, a relative, neighbour, friend or acquaintance of the debtor, the debtor's employer, a person who guaranteed the debt or a person mistakenly believed to be the debtor:

1. Make a telephone call or personal call at any of the following times, except at the request of the person being contacted:

- i. On a Sunday, other than between the hours of 1 p.m. and 5 p.m. local time of the place where the contact is being made.
 - ii. On any day of the week other than a Sunday, between the hours of 9 p.m. and 7 a.m. local time of the place where the contact is being made.
 - iii. Despite subparagraphs i and ii, on any holiday listed in subsection (7).
2. Contact the person more than three times in a seven-day period on behalf of the same creditor, subject to subsections (8) and (9).
 3. Publish or threaten to publish the debtor's failure to pay.
 4. Use threatening, profane, intimidating or coercive language.
 5. Use undue, excessive or unreasonable pressure.
 6. Otherwise communicate in such a manner or with such frequency as to constitute harassment.
- (7) For the purposes of subparagraph 1 iii of subsection (6), the following days are holidays:
1. New Year's Day.
 2. Good Friday.
 3. Easter Monday.
 4. Victoria Day.
 5. Canada Day.
 6. Civic Holiday.
 7. Labour Day.
 8. Thanksgiving Day.
 9. Remembrance Day.
 10. Christmas Day.
 11. December 26.
 12. Any day fixed as a holiday by proclamation of the Governor General or Lieutenant Governor.
- (8) For the purposes of paragraph 2 of subsection (6), the following types of contact shall not be counted:
1. Contact made by ordinary mail.
 2. Contact consented to or requested by the person being contacted.
 3. Contact of a person other than the debtor where the purpose of the contact is to locate the debtor.
- (9) The prohibition set out in paragraph 2 of subsection (6) does not apply to a collection agency or collector until such time that the collection agency or collector speaks with the person being contacted either in a telephone call or a personal call, but the prohibition applies thereafter.
- 23. (1)** No collection agency or collector shall directly or indirectly threaten, or state an intention, to commence a legal proceeding for the collection of a debt, unless the collection agency or collector has the written authority of the creditor to commence the proceeding, and the proceeding is not otherwise prohibited by law.
- (2) No collection agency or collector shall recommend to a creditor that a legal proceeding be commenced for collection of a debt, unless the collection agency or collector first gives notice to the debtor of its intention to make the recommendation.
- (3) No collection agency or collector shall commence a legal proceeding for the collection of a debt,
- (a) in the name of the creditor, unless the collection agency or collector has the written authority of the creditor to do so; or
 - (b) as a plaintiff, unless the following conditions have been satisfied:
 - (i) The creditor has assigned the debt to the collection agency or collector by written instrument and for valuable consideration, and the creditor has no further interest in the debt.
 - (ii) If a legal proceeding was commenced by the creditor prior to assigning the debt, the collection agency or collector has given written notice to the debtor of the assignment.
 - (iii) If a legal proceeding was not commenced by the creditor prior to assigning the debt, the collection agency or collector has given written notice to the debtor of the assignment and, either separately or together with the written notice of assignment, has given notice to the debtor of its intention to commence a legal proceeding.

24. No collection agency or collector shall,

- (a) give any person, directly or indirectly, by implication or otherwise, any false or misleading information;
- (b) misrepresent to any person contacted in respect of the debt the purpose of the contact or the identity of the creditor or of the collection agency or collector; or
- (c) use, without lawful authority, any summons, notice, demand or other document that states, suggests or implies that it is authorized or approved by a court in Canada or another jurisdiction.

25. (1) Charges incurred by a collection agency or collector in collecting a debt and charges incurred by a creditor to retain a collection agency or collector do not form part of the debt owed by the debtor, and no collection agency or collector shall collect or attempt to collect any such charges, subject to subsection (2).

(2) A collection agency or collector may collect, as part of the debt owed by a debtor, all reasonable charges incurred by the collection agency or collector in respect of the debtor's dishonoured cheques if,

- (a) the agreement between the creditor and the debtor provides that the debtor is liable for such charges if incurred by the creditor and sets out the amount of the charge;
- (b) the creditor has provided information to the debtor, by any method, that the debtor is liable for such charges if incurred by the creditor and the debtor knows or reasonably ought to know of his or her liability for such charges and the amount of the charge; or
- (c) the collection of such charges is expressly permitted by law.

3. (1) The title to Form 1 of the Regulation is revoked and the following substituted:

FORM 1
BOND OF AN INSURER LICENSED UNDER THE INSURANCE ACT TO WRITE SURETY AND FIDELITY
INSURANCE

Collection Agencies Act

(2) The title to Form 2 of the Regulation is revoked and the following substituted:

FORM 2
BOND OF A GUARANTOR OTHER THAN AN INSURER LICENSED UNDER THE INSURANCE ACT TO WRITE
SURETY AND FIDELITY INSURANCE

Collection Agencies Act

4. This Regulation comes into force on June 1, 2006.

15/06

NOTE: The Table of Regulations – Legislative History Overview and other tables related to regulations can be found at the e-Laws website (www.e-Laws.gov.on.ca) under Tables. Consolidated regulations may also be found at that site by clicking on Statutes and associated Regulations under Consolidated Law.

REMARQUE : On trouve le Sommaire de l'historique législatif des règlements et d'autres tables liées aux règlements sur le site Web Lois-en-ligne (www.lois-en-ligne.gouv.on.ca) en cliquant sur «Tables». On y trouve également les règlements codifiés en cliquant sur le lien Lois et règlements d'application sous la rubrique «Textes législatifs codifiés».

Publications under the Regulations Act Publications en vertu de la Loi sur les règlements

2006—04—22

ONTARIO REGULATION 104/06 made under the CHILD AND FAMILY SERVICES ACT

Made: March 27, 2006
Filed: April 4, 2006
Published on e-Laws: April 5, 2006
Printed in *The Ontario Gazette*: April 22, 2006

Amending Reg. 70 of R.R.O. 1990
(General)

Note: Regulation 70 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Section 50 of Regulation 70 of the Revised Regulations of Ontario, 1990 is amended by adding the following subsection:

- (3.1) For the purposes of clause 137 (4) (a.1) of the Act, if a child is being placed for adoption by an adoption agency, the consent of the parent shall not be given under clause 137 (2) (a) of the Act until the agency has advised the parent of,
- (a) the right to obtain non-identifying information under section 166 of the Act; and
 - (b) the enactment of the *Adoption Information Disclosure Act, 2005* and the significant changes that will result when specific provisions of that Act come into force.

2. This Regulation comes into force on the later of the day it is filed and the day section 14 of the *Adoption Information Disclosure Act, 2005* comes into force.

16/06

ONTARIO REGULATION 105/06 made under the HEALTH INSURANCE ACT

Made: April 5, 2006
Filed: April 6, 2006
Published on e-Laws: April 7, 2006
Printed in *The Ontario Gazette*: April 22, 2006

Amending Reg. 552 of R.R.O. 1990
(General)

Note: Regulation 552 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. (1) Clause (d) of the definition of “schedule of dental benefits” in subsection 16 (8) of Regulation 552 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

- (d) the document published by the Ministry of Health and Long-Term Care titled “Schedule of Benefits — Dental Services under the *Health Insurance Act* (April 1, 2005)”, but does not include the “[Commentary...]” portions of the document, if the service is performed on or after April 1, 2005 and before April 1, 2006,

(e) the document published by the Ministry of Health and Long-Term Care titled "Schedule of Benefits — Dental Services under the *Health Insurance Act* (April 1, 2006)", but does not include the "[Commentary...]" portions of the document, if the service is performed on or after April 1, 2006.

(2) Section 16 of the Regulation is amended by adding the following subsections:

(8.1) Despite subsection (1), the following services described by the following codes in the "Schedule of Benefits — Dental Services under the *Health Insurance Act* (April 1, 2006) are prescribed services only if they are performed on or after March 1, 2007:

1. T456 — Excision, subtotal, parotid gland.
2. T457 — Excision, total, parotid gland.
3. T458 — Parotid biopsy.

(8.2) Despite subsection (5), the premiums described by the following codes in the "Schedule of Benefits — Dental Services under the *Health Insurance Act* (April 1, 2006) are payable only if the prescribed services to which they relate are rendered on or after March 1, 2007:

1. T811 — Premium for consultation or visit between 5:00 p.m. and midnight, or on a Saturday, Sunday or holiday.
2. T812 — Premium for any consultation or visit to a patient in an intensive care facility.
3. T813 — Premium for a consultation or visit between midnight and 7:00 a.m.

16/06

ONTARIO REGULATION 106/06

made under the

PUBLIC HOSPITALS ACT

Made: March 17, 2006

Approved: April 5, 2006

Filed: April 6, 2006

Published on e-Laws: April 7, 2006

Printed in *The Ontario Gazette*: April 22, 2006

Amending O. Reg. 459/93

(Capital Grants and Loans)

Note: Ontario Regulation 459/93 has not previously been amended.

1. Ontario Regulation 459/93 is amended by adding the following French version:

SUBVENTIONS D'IMMOBILISATION ET PRÊTS

1. La définition qui suit s'applique au présent règlement.

«dépenses en immobilisations admissibles» S'entend des dépenses en immobilisations qui, aux termes des politiques du ministère de la Santé, sont admissibles au financement prévu par le présent règlement.

2. (1) Le ministre peut verser une subvention à titre d'aide provinciale à un hôpital au titre des dépenses en immobilisations admissibles d'un projet.

(2) Le ministre peut consentir un prêt à un hôpital au titre des dépenses en immobilisations admissibles d'un projet.

3. Une subvention ne peut être accordée ou un prêt consenti que si le projet a reçu l'approbation du ministre.

4. (1) Sauf dans les circonstances énoncées au paragraphe (2), le montant d'une subvention ou d'un prêt ne peut dépasser les deux tiers des dépenses en immobilisations admissibles du projet.

(2) Le montant d'une subvention ou d'un prêt peut aller jusqu'à concurrence des dépenses en immobilisations admissibles du projet si ce dernier est admissible, aux termes des politiques du ministère de la Santé, à un financement supérieur au niveau permis aux termes du paragraphe (1).

5. (1) Une subvention peut être accordée ou un prêt consenti sous forme de somme forfaitaire ou de versements échelonnés.

(2) Les versements peuvent être effectués avant que les dépenses en immobilisations admissibles n'aient été engagées ou après qu'elles l'ont été.

6. Chaque prêt est assorti de la condition portant que la province verse à l'hôpital le montant de chaque versement exigé pour rembourser le prêt.

Made by:
Pris par :

Le ministre de la Santé et des Soins de longue durée,

GEORGE SMITHERMAN
Minister of Health and Long-Term Care

Date made: March 17, 2006.
Pris le : 17 mars 2006.

16/06

ONTARIO REGULATION 107/06

made under the

HIGHWAY TRAFFIC ACT

Made: April 5, 2006
Filed: April 7, 2006
Published on e-Laws: April 10, 2006
Printed in *The Ontario Gazette*: April 22, 2006

Amending Reg. 625 of R.R.O. 1990
(Tire Standards and Specifications)

Note: Regulation 625 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. The definitions of “studded tire” in section 1 of Regulation 625 of the Revised Regulations of Ontario, 1990 are revoked and the following substituted:

“studded tire” means a tire that has a tread embedded with devices that project beyond the tread and have a hardness of greater than seven on the Mohs scale;

16/06

NOTE: The Table of Regulations – Legislative History Overview and other tables related to regulations can be found at the e-Laws website (www.e-Laws.gov.on.ca) under Tables. Consolidated regulations may also be found at that site by clicking on Statutes and associated Regulations under Consolidated Law.

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2006—04—29

ONTARIO REGULATION 108/06 made under the LAND REGISTRATION REFORM ACT

Made: February 9, 2006
Filed: April 10, 2006
Published on e-Laws: April 11, 2006
Printed in *The Ontario Gazette*: April 29, 2006

Amending O. Reg. 16/99
(Automated System)

Note: Ontario Regulation 16/99 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. The Table to subsection 3 (1) of Ontario Regulation 16/99 is amended by adding the following item:

| Column 1 | Column 2 |
|----------------|----------------|
| Elgin (No. 11) | April 10, 2006 |

Made by:

GERRY PHILLIPS
Minister of Government Services

Date made: February 9, 2006.

17/06

ONTARIO REGULATION 109/06 made under the BUSINESS CORPORATIONS ACT

Made: March 13, 2006
Filed: April 11, 2006
Published on e-Laws: April 12, 2006
Printed in *The Ontario Gazette*: April 29, 2006

Amending O. Reg. 289/00
(Forms)

Note: Ontario Regulation 289/00 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Clause 4 (a) of Ontario Regulation 289/00 is revoked and the following substituted:

- (a) a consent from the Minister of Finance;

2. Section 5 of the Regulation is amended by striking out “issued by the Corporations Tax Branch of the Ministry of Finance” at the end and substituting “issued by the Minister of Finance”.

3. (1) Clause 6 (1) (a) of the Regulation is amended by striking out “issued by the Corporations Tax Branch of the Ministry of Finance” and substituting “issued by the Minister of Finance”.

(2) Subsection 6 (2) of the Regulation is amended by striking out “issued by the Corporations Tax Branch of the Ministry of Finance” at the end and substituting “issued by the Minister of Finance”.

(3) The English version of subsection 6 (3) of the Regulation is amended by striking out “section 241 of the Act or a predecessor of that subsection” and substituting “section 241 of the Act or a predecessor of that section”.

4. This Regulation comes into force on the day section 1 of Schedule 4 to the *Budget Measures Act (Fall), 2004* comes into force.

RÈGLEMENT DE L'ONTARIO 109/06

pris en application de la

LOI SUR LES SOCIÉTÉS PAR ACTIONS

pris le 13 mars 2006

déposé le 11 avril 2006

publié sur le site Lois-en-ligne le 12 avril 2006

imprimé dans la *Gazette de l'Ontario* le 29 avril 2006

modifiant le Règl. de l'Ont. 289/00

(Formules)

Remarque : Le Règlement de l'Ontario 289/00 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des règlements qui se trouve sur le site www.lois-en-ligne.gouv.on.ca.

1. L'alinéa 4 a) du Règlement de l'Ontario 289/00 est abrogé et remplacé par ce qui suit :

a) un consentement émanant du ministre des Finances;

2. L'article 5 du Règlement est modifié par substitution de «délivré par le ministre des Finances» à «délivré par la Direction de l'imposition des corporations du ministère des Finances» à la fin de l'article.

3. (1) L'alinéa 6 (1) a) du Règlement est modifié par substitution de «délivré par le ministre des Finances» à «délivré par la Direction de l'imposition des corporations du ministère des Finances».

(2) Le paragraphe 6 (2) du Règlement est modifié par substitution de «délivré par le ministre des Finances» à «délivré par la Direction de l'imposition des corporations du ministère des Finances» à la fin du paragraphe.

(3) La version anglaise du paragraphe 6 (3) du Règlement est modifiée par substitution de «section 241 of the Act or a predecessor of that section» à «section 241 of the Act or a predecessor of that subsection».

4. Le présent règlement entre en vigueur le même jour que l'article 1 de l'annexe 4 de la *Loi de 2004 sur les mesures budgétaires (autonne)*.

made by:
Pris par :

Le ministre des Services gouvernementaux,

GERRY PHILLIPS
Minister of Government Services

Date made: March 13, 2006.
Pris le : 13 mars 2006.

17/06

ONTARIO REGULATION 110/06

made under the

HIGHWAY TRAFFIC ACT

Made: April 6, 2006
Filed: April 11, 2006
Published on e-Laws: April 12, 2006
Printed in *The Ontario Gazette*: April 29, 2006

Amending Reg. 619 of R.R.O. 1990
(Speed Limits)

Note: Regulation 619 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. (1) Paragraph 25 of Part 2 of Schedule 21 to Regulation 619 of the Revised Regulations of Ontario, 1990 is revoked.

(2) Part 2 of Schedule 21 to the Regulation is amended by adding the following paragraphs:

Renfrew — City of Ottawa — Twp. of White Water Region

49. That part of the King's Highway known as No. 17 lying between a point in the eastbound lanes situate 400 metres measured westerly from its intersection with the centre line of the roadway known as Ottawa Road No. 29 in the City of Ottawa and a point situate 85 metres measured westerly from its intersection with the centre line of the roadway known as Forest Falls Road in the Township of White Water Region in the County of Renfrew.
50. That part of the King's Highway known as No. 17 in the Township of White Water Region in the County of Renfrew lying between a point in the westbound lanes situate 1000 metres measured westerly from its intersection with the centre line of the roadway known as Galetta Side Road and a point situate 85 metres measured westerly from its intersection with the centre line of the roadway known as Forest Falls Road.

City of Ottawa

51. That part of the King's Highway known as No. 17 in the City of Ottawa lying between a point situate at its intersection with the centre line of the roadway known as Grants Side Road and a point situate 85 metres measured westerly from its intersection with the centre line of the roadway known as Madawaska Boulevard.

2. Part 1 of Schedule 130 to the Regulation is amended by adding the following paragraphs:

Prescott and Russell

2. That part of the King's Highway known as No. 417 in the County of Prescott and Russell lying between a point situate at its intersection with the Ontario-Quebec boundary and a point in the eastbound lanes situate 400 metres measured westerly from its intersection with the centre line of the roadway known as Ottawa Road No. 29.

City of Ottawa

3. That part of the King's Highway known as No. 417 in the City of Ottawa lying between a point situate at its intersection with the Ontario-Quebec boundary and a point in the westbound lanes situated 1000 metres measured westerly from its intersection with the centre line of the roadway known as Galetta Side Road.

Made by:

HARINDER JEET SINGH TAKHAR
Minister of Transportation

Date made: April 6, 2006.

17/06

ONTARIO REGULATION 111/06

made under the

TIME ACT

Made: April 5, 2006

Filed: April 12, 2006

Published on e-Laws: April 13, 2006

Printed in *The Ontario Gazette*: April 29, 2006

VARIATION OF TIME IN EFFECT

Time in effect

1. The time in effect, as fixed by subsection 2 (4) of the Act, is varied so that,
 - (a) daylight saving time shall be in effect during the period between 2 a.m. standard time on the second Sunday in March and 2 a.m. daylight saving time on the first Sunday in November; and
 - (b) standard time shall be in effect during the rest of the year.

Commencement

2. This Regulation comes into force on January 1, 2007.

RÈGLEMENT DE L'ONTARIO 111/06

pris en application de la

LOI SUR L'HEURE LÉGALE

pris le 5 avril 2006

déposé le 12 avril 2006

publié sur le site Lois-en-ligne le 13 avril 2006

imprimé dans la *Gazette de l'Ontario* le 29 avril 2006

MODIFICATION DE L'HEURE EN VIGUEUR

Heure en vigueur

1. L'heure en vigueur, telle qu'elle est déterminée au paragraphe 2 (4) de la Loi, est modifiée de sorte que :

- a) d'une part, l'heure avancée soit en vigueur pendant la période qui tombe entre 2 h, heure normale, le deuxième dimanche de mars, et 2 h, heure avancée, le premier dimanche de novembre;
- b) d'autre part, l'heure normale soit en vigueur pendant le reste de l'année.

Entrée en vigueur

2. Le présent règlement entre en vigueur le 1^{er} janvier 2007.

17/06

ONTARIO REGULATION 112/06
made under the
FARM PRODUCTS MARKETING ACT

Made: April 10, 2006
Filed: April 13, 2006
Published on e-Laws: April 18, 2006
Printed in *The Ontario Gazette*: April 29, 2006

Amending Reg. 417 of R.R.O. 1990
(Greenhouse Vegetables — Marketing)

Note: Regulation 417 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Section 5 of Regulation 417 of the Revised Regulations of Ontario, 1990 is amended by adding the following clause:

- (d) providing for the imposition, amount, disposition and use of penalties where, after a hearing, the local board is of the opinion that the applicant or licensee has failed to comply with or has contravened any term or condition of a licence or any provision of this Act, the regulations, any plan or any order or direction of the local board;

RÈGLEMENT DE L'ONTARIO 112/06
pris en application de la
LOI SUR LA COMMERCIALISATION DES PRODUITS AGRICOLES

pris le 10 avril 2006
déposé le 13 avril 2006
publié sur le site Lois-en-ligne le 18 avril 2006
imprimé dans la *Gazette de l'Ontario* le 29 avril 2006

modifiant le Règl. 417 des R.R.O. de 1990
(Légumes de serre – commercialisation)

Remarque : Le Règlement 417 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des règlements qui se trouve sur le site www.lois-en-ligne.gouv.on.ca.

1. L'article 5 du Règlement 417 des Règlements refondus de l'Ontario de 1990 est modifié par adjonction de l'alinéa suivant :

- d) prévoir l'application, le montant, la disposition et l'emploi des pénalités si, après une audience, la commission locale est d'avis que l'auteur de la demande ou le titulaire du permis n'a pas respecté ou a enfreint une condition assortie au permis ou une disposition de la Loi, des règlements, d'un plan ou d'une ordonnance, d'un ordre ou d'une directive de la commission locale;

Made by:
Pris par :

ONTARIO FARM PRODUCTS MARKETING COMMISSION:
COMMISSION DE COMMERCIALISATION DES PRODUITS AGRICOLES DE L'ONTARIO :

DAVE HOPE
Chair
Président

GLORIA MARCO BORYS
Secretary
Secrétaire

Date made: April 10, 2006.
Pris le : 10 avril 2006.

17/06

ONTARIO REGULATION 113/06

made under the

MILK ACT

Made: April 10, 2006
Filed: April 13, 2006
Published on e-Laws: April 18, 2006
Printed in *The Ontario Gazette*: April 29, 2006

Revoking Reg. 747 of R.R.O. 1990
(Cheese — Information to be Furnished)

Note: Regulation 747 has not previously been amended.

1. Regulation 747 of the Revised Regulations of Ontario, 1990 is revoked.

Made by:

ONTARIO FARM PRODUCTS MARKETING COMMISSION:

DAVE HOPE
Chair

GLORIA MARCO BORYS
Secretary

Date made: April 10, 2006.

17/06

ONTARIO REGULATION 114/06

made under the

MILK ACT

Made: April 10, 2006

Filed: April 13, 2006

Published on e-Laws: April 18, 2006

Printed in *The Ontario Gazette*: April 29, 2006

Revoking Reg. 752 of R.R.O. 1990

(Cream Producers — Licences)

Note: Regulation 752 has previously been amended. Those amendments are listed in the Table of Regulations — Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Regulation 752 of the Revised Regulations of Ontario, 1990 is revoked.

Made by:

ONTARIO FARM PRODUCTS MARKETING COMMISSION:

DAVE HOPE
Chair

GLORIA MARCO BORYS
Secretary

Date made: April 10, 2006.

17/06

ONTARIO REGULATION 115/06

made under the

MILK ACT

Made: April 10, 2006

Filed: April 13, 2006

Published on e-Laws: April 18, 2006

Printed in *The Ontario Gazette*: April 29, 2006

Revoking Reg. 749 of R.R.O. 1990

(Cheese — Marketing — Exemptions)

Note: Regulation 749 has previously been amended. Those amendments are listed in the Table of Regulations — Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Regulation 749 of the Revised Regulations of Ontario, 1990 is revoked.

Made by:

ONTARIO FARM PRODUCTS MARKETING COMMISSION:

DAVE HOPE
Chair

GLORIA MARCO BORYS
Secretary

Date made: April 10, 2006.

17/06

NOTE: The Table of Regulations – Legislative History Overview and other tables related to regulations can be found at the e-Laws website (www.e-Laws.gov.on.ca) under Tables. Consolidated regulations may also be found at that site by clicking on Statutes and associated Regulations under Consolidated Law.

REMARQUE : On trouve le Sommaire de l'historique législatif des règlements et d'autres tables liées aux règlements sur le site Web Lois-en-ligne (www.lois-en-ligne.gouv.on.ca) en cliquant sur «Tables». On y trouve également les règlements codifiés en cliquant sur le lien Lois et règlements d'application sous la rubrique «Textes législatifs codifiés».

Publications under the Regulations Act Publications en vertu de la Loi sur les règlements

2006—05—06

ONTARIO REGULATION 116/06

made under the

PENSION BENEFITS ACT

Made: April 12, 2006

Filed: April 18, 2006

Published on e-Laws: April 19, 2006

Printed in *The Ontario Gazette*: May 6, 2006

Amending Reg. 909 of R.R.O. 1990
(General)

Note: Regulation 909 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. (1) The definition of “normal cost” in subsection 1 (1) of Regulation 909 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

“normal cost” means the cost of pension benefits and ancillary benefits allocated to a fiscal year of a pension plan, determined on the basis of a going concern valuation; (“coût normal”)

(2) The definition of “consent benefit” in subsection 1 (2) of the Regulation is revoked and the following substituted:

“consent benefit” means an ancillary benefit, other than a plant closure benefit or a permanent layoff benefit, the eligibility requirements for which include the consent of an employer or, in the case of a jointly sponsored pension plan, the consent of the employer or the administrator; (“prestation assujettie à un consentement”)

(3) The definition of “funded consent benefit” in subsection 1 (2) of the Regulation is revoked and the following substituted:

“funded consent benefit” means a consent benefit for which a member has met all eligibility requirements except the consent of an employer or, in the case of a jointly sponsored pension plan, the consent of the employer or the administrator; (“prestation financée assujettie à un consentement”)

(4) The definition of “going concern assets” in subsection 1 (2) of the Regulation is revoked and the following substituted:

“going concern assets” means, in respect of a report under this Regulation relating to a pension plan, the sum of,

- (a) the value of the assets of the pension plan, including accrued and receivable income, determined on the basis of a going concern valuation, and
- (b) the present value of any special payments in respect of a going concern unfunded liability disclosed in the previously filed report; (“actif à long terme”)

(5) Subsection 1 (2) of the Regulation is amended by adding the following definition:

“pensionable earnings” means the earnings on which contributions are based by virtue of the documents that create and support the pension plan; (“gains ouvrant droit à pension”)

(6) The definition of “permanent layoff benefit” in subsection 1 (2) of the Regulation is revoked and the following substituted:

“permanent layoff benefit” means a pension benefit or ancillary benefit for which the eligibility requirements include permanent layoff, whether or not the benefit requires the consent of the employer or, in the case of a jointly sponsored pension plan, the consent of the employer or the administrator; (“prestation de mise à pied permanente”)

(7) The definition of “solvency asset adjustment” in subsection 1 (2) of the Regulation is revoked.

(8) Clause (b) of the definition of “transfer ratio” in subsection 1 (2) of the Regulation is revoked and the following substituted:

- (b) the sum of the solvency liabilities and the liabilities for benefits that were excluded in calculating the solvency liabilities;

2. The Regulation is amended by adding the following section:

1.2 (1) For the purposes of this Part, the solvency asset adjustment in relation to a report in respect of a pension plan for which a benefit allocation method is used to set contribution rates is the sum of,

- (a) the amount, which may be positive or negative, by which the value of the solvency assets are adjusted as a result of applying an averaging method that stabilizes short-term fluctuations in the market value of the plan assets, calculated over a period of not more than five years;
- (b) the present value of any special payments referred to in clause 5 (1) (a);
- (c) the present value of any special payments required to liquidate any past service unfunded liability; and
- (d) the present value of all special payments referred to in clause 5 (1) (b), (c), (d) or (e), other than special payments required to liquidate any past service unfunded liability or any solvency deficiency determined in the report, that are scheduled for payment within,
 - (i) the period of five years that begins on the valuation date of the report, in the case of a pension plan other than a jointly sponsored pension plan, or
 - (ii) a period that begins on the valuation date of the report and continues until the end of a five-year period that begins on a date not later than 12 months after the valuation date, in the case of a jointly sponsored pension plan.

(2) Despite subsection (1), the solvency asset adjustment in relation to a report in respect of a pension plan that provides defined benefits and for which a benefit allocation method is not used to set contribution rates is the sum of “A” and “B” where,

“A” is the amount, which may be positive or negative, by which the value of the solvency assets are adjusted as a result of applying an averaging method that stabilizes short-term fluctuations in the market value of the plan assets, calculated over a period of not more than five years, and

“B” is the greater of zero and the amount calculated using the formula,

$$C + D - E$$

in which,

“C” is the present value of the required contributions, which are determined using the actuarial cost method adopted by the plan, for the five-year period that begins on the valuation date of the report, or in the case of a jointly sponsored pension plan, for a period that begins on the valuation date of the report and continues until the end of a five-year period that begins on a date not later than 12 months after the valuation date,

“D” is the present value of any special payments referred to in clause 5 (1) (e) that are scheduled for payment within the applicable period described in the definition of “C”, other than any special payments required to liquidate any solvency deficiency determined in the report, and

“E” is the present value of the normal cost, which is determined using a benefit allocation method, for the applicable period described in the definition of “C”.

(3) For the purposes of subsections (1) and (2), the present value of special payments, required contributions and the normal cost must be calculated as of the valuation date of the report and must be calculated using,

- (a) the interest rates used in the report to calculate the solvency liabilities, if the solvency liability adjustment is zero; or
- (b) the average interest rates used in the report to calculate the solvency liability adjustment, if the solvency liability adjustment is not zero.

(4) In the case of a jointly sponsored pension plan, the present values determined for the purposes of the definitions of “C”, “D” and “E” in subsection (2) shall be calculated based on the sum of the projected pensionable earnings for the applicable period described in the definition of “C” in subsection (2).

3. The Regulation is amended by adding the following sections immediately before the heading “Funding of Pension Plans”:

JOINTLY SPONSORED PENSION PLANS

3.1 (1) For the purposes of paragraph 4 of subsection 1 (2) of the Act, a pension plan must, by virtue of the documents that create and support the plan, satisfy the following additional criteria in order to be a jointly sponsored pension plan:

1. The total amount of contributions payable by members of the pension plan in respect of a year, excluding any additional voluntary contributions and voluntary contributions for past service as described in subsection 39 (5) of the Act, cannot exceed the total amount of contributions payable to the pension plan in respect of the year by the employer or by the person or entity required to make contributions on behalf of the employer, as the case may be.
2. The pension plan does not permit a reduction in the amount of or the commuted value of a pension benefit, a pension, a deferred pension or an ancillary benefit in the circumstances described in subsection 14 (2) or (3) of the Act, except in the circumstances of a wind up.
3. The employers or any persons or entities who make contributions on behalf of the employers or represent the employers and the members of the pension plan or any representatives of the members are jointly responsible for making all decisions about the terms and conditions of the pension plan and any amendments to the pension plan.
4. The employers or any persons or entities who make contributions on behalf of the employers or represent the employers and the members of the pension plan or any representatives of the members are jointly responsible for making all decisions regarding,
 - i. the appointment of the administrator of the plan, or
 - ii. the appointment or selection of persons as members of any body or entity referred to in clause 8 (1) (b), (c), (e), (f) or (h) of the Act that is the administrator of the plan.
5. The level of a member's pension benefits, other than ancillary benefits, and the amount of a member's contributions are directly related to the member's pensionable earnings.

(2) The documents that create and support a jointly sponsored pension plan must set out the methods by which the decisions referred to in paragraphs 3 and 4 of subsection (1) are to be made.

3.2 The Ontario Municipal Employees Retirement System is prescribed as a jointly sponsored pension plan for the purposes of the Act.

4. (1) Subsection 4 (1) of the Regulation is revoked and the following substituted:

(1) Every pension plan shall set out the obligation of the employer or any person or entity required to make contributions on behalf of the employer and, in the case of a jointly sponsored pension plan, the obligation of the members of the pension plan, if applicable, to contribute both in respect of the normal cost and any going concern unfunded liability and solvency deficiency under the plan.

(2) Subsection 4 (2) of the Regulation is amended by striking out the portion before clause (a) and substituting the following:

(2) Subject to subsection (2.1), an employer who is required to make contributions under a pension plan or, if a person or entity is required to make contributions under the pension plan on behalf of the employer, that person or entity and, if applicable, the members of the pension plan or their representative shall make payments to the pension fund or to an insurance company, as applicable, that are not less than the sum of,

(3) Clause 4 (2) (a) of the Regulation is revoked and the following substituted:

- (a) all contributions, including contributions in respect of any going concern unfunded liability and solvency deficiency and money withheld by payroll deduction or otherwise from an employee, that are received from employees as the employees' contributions to the pension plan;

(4) Clause 4 (2) (d) of the Regulation is revoked and the following substituted:

- (d) all special payments determined in accordance with sections 31, 32 and 35 and all payments determined in accordance with section 31.1.

(5) Section 4 of the Regulation is amended by adding the following subsections:

(2.2) Despite subsections (1) and (2), the amount of contributions required to be made to a pension plan that provides defined benefits may be determined by using an actuarial cost method other than a benefit allocation method if,

- (a) the actuarial cost method that is used is consistent with accepted actuarial practice; and
- (b) the rules set out in subsection (2.3) are satisfied.

(2.3) For the purposes of clause (2.2) (b), the rules are as follows:

1. If there would be no going concern unfunded liability if a benefit allocation method were used, the present value of the required contributions for the three years after the valuation date, which are determined under the actuarial cost method used by the plan, must not be less than the present value of the contributions that would be made in respect of the normal cost for the plan if the benefit allocation method were used, after the application of any actuarial gains to reduce the normal cost in accordance with subsection 7 (3).
2. If there would be a going concern unfunded liability if a benefit allocation method were used, the present value of the required contributions, which are determined under the actuarial cost method used by the plan, must not be less than the sum of the present value of the normal cost and the present value of the special payments determined in accordance with section 5 that would be required to liquidate any going concern unfunded liability.
3. The rate or rates of interest to be used in calculating present values referred to in paragraphs 1 and 2 shall be the rate or rates used in the report for the going concern valuation.
4. The present values referred to in paragraph 2 shall be calculated using whichever of the following periods is longer:
 - i. the period that begins on the valuation date and continues until the end of the remaining amortization period of the going concern unfunded liability that has the longest remaining amortization period, or
 - ii. the period of three years that begins on the valuation date.
5. In the case of a jointly sponsored pension plan,
 - i. the present values referred to in paragraph 1 shall be calculated based on the sum of the projected pensionable earnings for each year in the three-year period beginning on the valuation date,
 - ii. the present values referred to in paragraph 2 shall be calculated based on the period used for the purposes of paragraph 4 and the sum of the projected pensionable earnings for each year in that period, and
 - iii. the actuarial assumptions used to determine the sums referred to in subparagraphs i and ii of the projected pensionable earnings shall be the same as those used in the report for the going concern valuation.
6. Subject to paragraph 7, the required contribution rate for a jointly sponsored pension plan shall be determined as a level percentage of pensionable earnings for each class of members, subject to any variation that is necessary in order to take into account integration with the *Canada Pension Plan*.
7. If the required contribution rate set out in a report in respect of a jointly sponsored pension plan is higher than the required contribution rate determined in the last filed report and a going concern unfunded liability is disclosed in the report, the required contribution rate may be increased each year for up to three years, commencing not later than 12 months after the valuation date, by at least one third of the difference between the two contribution rates, but only if,
 - i. the contribution rate after that period is a level percentage of pensionable earnings, subject to any variation that is necessary in order to take into account integration with the *Canada Pension Plan*, and
 - ii. the present value of the required contributions using the increased rates is not less than the minimum present value determined in accordance with paragraphs 2, 3 and 4.

(2.4) If, in accordance with subsection (2.2), the amount of contributions required to be made to a pension plan that provides defined benefits is determined by using an actuarial cost method other than a benefit allocation method, the payments to the pension fund or to an insurance company, as applicable, shall not be less than the sum of,

- (a) the required contributions determined using the actuarial cost method; and
- (b) all special payments determined in accordance with section 5 with respect to any solvency deficiency.

(2.5) If the amount of contributions required to be made to a pension plan that provides defined benefits is determined in accordance with subsection (2.2) using an actuarial cost method other than a benefit allocation method, the contributions shall be deemed to be the contributions required to be made under this Regulation and the definitions in section 1 shall apply with necessary modifications.

(2.6) If a report discloses that an increase in the normal cost is required in respect of a jointly sponsored pension plan for which a benefit allocation method is used to set contribution rates, payment of that increase shall commence on a date not later than 12 months after the valuation date.

(2.7) If a report discloses that there is a going concern unfunded liability that is required to be liquidated in respect of a jointly sponsored pension plan for which a benefit allocation method is used to set the contribution rates, the special payments in respect of the going concern unfunded liability, as determined in accordance with subsection 5 (1.2), may be increased annually for up to three years, commencing not later than 12 months after the valuation date, by at least one third of the special payments, but only if,

- (a) the special payments after that period are a level percentage of pensionable earnings; and

(b) the present value of the special payments, including the increased special payments, is not less than the amount of the going concern unfunded liability.

(2.8) In the case of a jointly sponsored pension plan, contributions referred to in subsection 39 (3) of the Act include contributions made by a former member in respect of any going concern unfunded liability or solvency deficiency.

(6) Section 4 of the Regulation is amended by adding the following subsection:

(3.1) Subsection (3) does not apply if the pension plan provides defined benefits and a benefit allocation method is not used to set contribution rates.

(7) Subsection 4 (4) of the Regulation is amended by striking out the portion before paragraph 1 and substituting the following:

(4) The payments referred to in subsections (2) and (2.4) shall be made by the employer or, if a person or entity is required to make contributions on behalf of the employer, by that person or entity and, if applicable, by the members of the pension plan within the following time limits:

(8) Paragraphs 2 and 4 of subsection 4 (4) of the Regulation are revoked.

(9) Subsection 4 (5) of the Regulation is revoked and the following substituted:

(5) Subject to subsections (10) and (11), if the period covered by a report filed under section 3, 5.3, 13 or 14 or submitted under this section has ended, and no report covering a subsequent period is filed under section 14 or submitted under this section, the employer or, if a person or entity is required to make contributions on behalf of the employer, that person or entity and, if applicable, the members of the pension plan shall continue to make payments in accordance with the report most recently filed or submitted under section 3, 5.3, 13 or 14 or this section.

(10) Subsections 4 (9), (10) and (11) of the Regulation are revoked and the following substituted:

(9) If a report is submitted to the Superintendent under subsection (7.1), the employer or, if another person or entity is required to make contributions on behalf of the employer, that person or entity and, if applicable, the members of the pension plan shall make payments in accordance with the report.

(10) Except as provided in subsection (11), if a payment requirement set out in a report submitted under subsection (7.1) concerning a plan differs from a payment requirement set out in a report filed by the administrator, the employer or, if another person or entity is required to make contributions on behalf of the employer, that person or entity and, if applicable, the members of the pension plan shall make payments in accordance with the higher requirement.

(11) If, in the opinion of the Superintendent, a payment in accordance with the higher requirement under subsection (10) is not necessary to ensure that the plan is sufficiently funded to provide benefits under the plan, the payments shall be made in accordance with the lower requirement.

(11) Subsection 4 (13) of the Regulation is revoked and the following substituted:

(13) This section does not apply to a pension plan described in subsection 6 (1) unless it is a jointly sponsored pension plan.

5. (1) Section 5 of the Regulation is amended by adding the following subsections:

(1.1) Despite clauses (1) (b) and (e), in the case of a jointly sponsored pension plan, the special payments may be determined in accordance with subsection (1.2) as of,

- (a) the date the going concern unfunded liability arose, for special payments referred to in clause (1) (b); or
- (b) the date the solvency deficiency arose, for special payments referred to in clause (1) (e).

(1.2) The special payments referred to in subsection (1.1) are determined under the following rules:

1. Each scheduled payment must be a level percentage of the sum of pensionable earnings of the members of the pension plan at the valuation date projected to the date when the scheduled payments commence and, after that date, projected annually until the end of the amortization period.
2. The sum in paragraph 1 of the projected pensionable earnings must be determined using the same actuarial assumptions used in the going concern valuation, taking into account any expected material decline in the sum of pensionable earnings.
3. The present value of the scheduled payments at the date described in clause (1.1) (a) must be equal to the amount of the going concern unfunded liability or solvency deficiency being liquidated.
4. The amortization periods for each series of scheduled payments must be the same as the respective periods under clauses (1) (b) and (e), beginning not later than 12 months after the valuation date.

5. The present value of the scheduled payments must be determined,

- i. with respect to any going concern unfunded liability, using the interest rate or rates used in the report to determine the going concern unfunded liability, and
- ii. with respect to any solvency deficiency, using the interest rates used in the report to determine the solvency deficiency.

(2) Section 5 of the Regulation is amended by adding the following subsection:

(16.2) Despite subsections (13), (14), (15), (16) and (16.1), if a pension plan provides defined benefits and a benefit allocation method is not used to set the contribution rates, the prior year credit balance to be used in any report filed or submitted in respect of the pension plan shall be zero.

(3) The French version of subsection 5 (17) of the Regulation is amended by striking out “qui sont censée être faits” in the portion before paragraph 1 and substituting “qui sont prévus”.

6. The French version of clause 5.3 (3) (e) of the Regulation is amended by striking out “qui sont censés être faits” and substituting “qui sont prévus”.

7. The Regulation is amended by adding the following section immediately before the heading “Payments — Multi-Employer Plans and Defined Benefit/Defined Contribution Plans”:

FUNDING JOINTLY SPONSORED PENSION PLANS

5.5 (1) Despite subsection 14 (10), an inter-valuation report for a jointly sponsored pension plan with a valuation date on or after December 31, 2004 and before September 30, 2005 may be filed after September 30, 2005, but not later than June 30, 2006.

(2) Despite clauses 5 (1) (b) and (e), with respect to any going concern unfunded liability or solvency deficiency of a jointly sponsored pension plan, as determined in an inter-valuation report referred to in this section, the special payments required to liquidate the going concern unfunded liability or solvency deficiency may be paid in equal monthly payments or in accordance with subsections 5 (1.1) and (1.2), commencing not later than January 1, 2007 and ending not later than 15 years or five years later, as applicable.

(3) In this section,

“inter-valuation report” means a report filed under section 14 in the interim period before a report with a valuation date that is three years after the last valuation date is required to be filed.

8. Section 6 of the Regulation is amended by adding the following subsection:

(6) Subsections (1) to (5) do not apply to a multi-employer pension plan that is a jointly sponsored pension plan.

9. (1) Subsection 7 (1) of the Regulation is revoked and the following substituted:

(1) If a report discloses an actuarial gain under the plan, the actuarial gain shall be applied firstly to reduce any going concern unfunded liability.

(2) Subsection 7 (3) of the Regulation is revoked and the following substituted:

(3) In any year for which no special payments are required to be made for a pension plan under section 5, an actuarial gain may be applied to reduce contributions for normal costs required to be made by the employer, by a person or entity required to make contributions on behalf of the employer, by the members of the pension plan or by any of them.

10. Subsection 11 (4) of the Regulation is revoked.

11. Subsection 12 (1) of the Regulation is revoked and the following substituted:

(1) This section applies in respect of a pension fund for a pension plan other than a jointly sponsored pension plan when a report required under section 3 or 14 is filed with the Superintendent or a report prepared under section 4 or 13 is submitted to the Superintendent.

12. Section 13 of the Regulation is amended by adding the following subsection:

(2.1) A report prepared under subsection (1) in which a benefit allocation method was not used to set contribution rates must,

- (a) set out the contribution rate or rates that are required under the pension plan;
- (b) identify the normal cost or the equivalent of normal cost determined using the actuarial cost method adopted by the pension plan; and
- (c) include the information required under subsection (1) determined using a benefit allocation method and the information required under subsection (1.1).

13. Section 14 of the Regulation is amended by adding the following subsection:

(8.1) A report prepared under subsection (1) in which a benefit allocation method was not used to set contribution rates must,

- (a) set out the contribution rate or rates that are required under the pension plan;
- (b) identify the normal cost or the equivalent of normal cost determined using the actuarial cost method adopted by the pension plan; and
- (c) include the information required under subsection (7) determined using a benefit allocation method and the information required under subsection (8).

14. Section 16 of the Regulation is amended by adding the following subsection:

(4.1) A person preparing a report under subsection (1) or (2) shall use actuarial cost methods and assumptions that include a benefit allocation method or a cost allocation method and that are consistent with the *Consolidated Standards of Practice-Practice-Specific Standards for Pension Plans*, with an effective date of December 1, 2002, available to the public from the Canadian Institute of Actuaries at Suite 800, 150 Metcalfe Street, Ottawa, Ontario K2P 1P1 or electronically on its website at www.actuaries.ca.

15. (1) Clause 19 (6) (b) of the Regulation is revoked and the following substituted:

- (b) the aggregate of transfer deficiencies for all transfers made since the last review date does not exceed 5 per cent of the assets of the plan at that time.

(2) Subsection 19 (9) of the Regulation is revoked.

16. (1) Subsection 24 (3) of the Regulation is revoked and the following substituted:

(3) Contributions, other than additional voluntary contributions, of members and former members of a pension plan that provides defined benefits shall be credited not less frequently than annually with interest calculated at a rate that is not less than the rate calculated on the basis of the average of the yields of five-year personal fixed-term chartered bank deposit rates as determined from the Canadian Socio-Economic Information Management System (CANSIM) series V122515 compiled by Statistics Canada, and available on the website maintained by the Bank of Canada, over a reasonably recent period such that the averaging period does not exceed twelve months.

(2) Subsection 24 (6) of the Regulation is amended by striking out "as determined from the Canadian Socio-Economic Information Management (CANSIM) series B 14045 published monthly in the Bank of Canada Review, over a reasonably recent period" and substituting "as determined from the Canadian Socio-Economic Information Management System (CANSIM) series V122515 compiled by Statistics Canada and available on the website maintained by the Bank of Canada, over a reasonably recent period".

17. The Regulation is amended by adding the following section:

31.1 (1) Any liability to be funded under clause 75.1 (1) (b) or (2) (b) of the Act shall be funded by equal monthly instalments for five years or less or by payments determined in accordance with a schedule of payments.

(2) The instalments or payments required under subsection (1) shall be made to the pension fund by the employer or, if another person or entity is required to make payments on behalf of the employer, that person or entity and, if applicable, by the members of the pension plan, commencing on the effective date of the wind up.

(3) The schedule of payments referred to in subsection (1) shall be determined as follows:

- 1. The present value of the scheduled payments at the effective date of the wind up is equal to the liability to be funded.
- 2. The amortization period for the scheduled payments shall end not later than five years after the effective date of the wind up.
- 3. The present value of the scheduled payments is determined using the interest rates used in the wind up report.

18. The Regulation is amended by adding the following section:

32.1 (1) Until any liability under section 75.1 of the Act is funded, the administrator of a jointly sponsored pension plan shall annually cause the plan to be reviewed and a report to be prepared by a person authorized by section 15 and shall file the report within six months after the valuation date of the report.

(2) A report required under subsection (1) shall show,

- (a) the gain or the loss in the pension plan since the valuation date of the immediately preceding report as a result of differences between the actual experience and the experience anticipated by the assumptions made in the previous report; and

(b) the increase or decrease in the remaining special payments that will liquidate the gain or loss referred to in clause (a) over the remainder of the five-year period commencing from the effective date of the wind up.

(3) Any special payments required as a result of a loss referred to in clause (2) (a) shall be included as payments required to be made according to section 75.1 of the Act.

(4) Where a report made under this section shows that there is no further amount to be funded, any surplus shall be dealt with according to the terms and conditions of the pension plan.

19. Subsection 37 (15) of the Regulation is amended by striking out “determined from the Canadian Socio-Economic Information Management (CANSIM) series B14020 published in the *Bank of Canada Review*” and substituting “determined from the Canadian Socio-Economic Information Management System (CANSIM) series V122495 compiled by Statistics Canada and available on the website maintained by the Bank of Canada”.

20. Subsection 47 (2.1) of the Regulation is amended by adding the following paragraph:

3. Jointly sponsored pension plans.

21. (1) Paragraph 1 of subsection 6 (2) of Schedule 1 to the Regulation is amended by striking out “as published in the Bank of Canada Review under identification number B-14013 in the CANSIM system” at the end and substituting “as determined from the Canadian Socio-Economic Information Management System (CANSIM) series V122487 compiled by Statistics Canada and available on the website maintained by the Bank of Canada”.

(2) Paragraph 2 of subsection 6 (2) of Schedule 1 to the Regulation is amended by striking out “as published in the Bank of Canada Review under identification number B-14013 in the CANSIM system” at the end and substituting “as determined from the Canadian Socio-Economic Information Management System (CANSIM) series V122487 compiled by Statistics Canada and available on the website maintained by the Bank of Canada”.

22. (1) Subject to subsections (2), (3), (4), (5) and (6), this Regulation comes into force on the day it is filed.

(2) Subsections 1 (1), (4), (5) and (7), sections 2 and 3, subsections 4 (1), (2), (3), (4), (5), (6), (7), (9), (10) and (11) and 5 (1) and (2) and sections 7, 8, 9, 11, 12, 13, 14 and 20 shall be deemed to have come into force on December 31, 2004.

(3) Subsections 1 (2), (3) and (6) come into force on January 1, 2007.

(4) Subsection 1 (8) and section 15 come into force on July 1, 2006.

(5) Sections 17 and 18 come into force on the later of April 30, 2006 and the day this Regulation is filed.

(6) Subsection (2) comes into force on the day section 12 of Schedule 18 to the *Budget Measures Act, 2005 (No. 2)* comes into force.

RÈGLEMENT DE L'ONTARIO 116/06

pris en application de la

LOI SUR LES RÉGIMES DE RETRAITE

pris le 12 avril 2006

déposé le 18 avril 2006

publié sur le site Lois-en-ligne le 19 avril 2006

imprimé dans la *Gazette de l'Ontario* le 6 mai 2006

modifiant le Règl. 909 des R.R.O. de 1990

(Dispositions générales)

Remarque : Le Règlement 909 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des règlements qui se trouve sur le site www.lois-en-ligne.gouv.on.ca.

1. (1) La définition de «coût normal» au paragraphe 1 (1) du Règlement 909 des Règlements refondus de l'Ontario de 1990 est abrogée et remplacée par ce qui suit :

«coût normal» Le coût des prestations de retraite et des prestations accessoires, déterminé d'après une évaluation à long terme, qui est imputé à un exercice d'un régime. («normal cost»)

(2) La définition de «prestation assujettie à un consentement» au paragraphe 1 (2) du Règlement est abrogée et remplacée par ce qui suit :

«prestation assujettie à un consentement» Prestation accessoire, autre qu'une prestation de fermeture d'entreprise ou une prestation de mise à pied permanente, dont les conditions d'admissibilité comprennent le consentement de l'employeur ou, dans le cas d'un régime de retraite conjoint, celui de l'employeur ou de l'administrateur. («consent benefit»)

(3) La définition de «prestation financée assujettie à un consentement» au paragraphe 1 (2) du Règlement est abrogée et remplacée par ce qui suit :

«prestation financée assujettie à un consentement» Prestation assujettie à un consentement à l'égard de laquelle le participant a satisfait à toutes les conditions d'admissibilité, à l'exception du consentement de l'employeur ou, dans le cas d'un régime de retraite conjoint, de celui de l'employeur ou de l'administrateur. («funded consent benefit»)

(4) La définition de «actif à long terme» au paragraphe 1 (2) du Règlement est abrogée et remplacée par ce qui suit :

«actif à long terme» À l'égard d'un rapport prévu par le présent règlement relativement à un régime, s'entend de la somme des éléments suivants :

- a) la valeur de l'actif du régime, y compris les revenus accumulés et à recevoir, déterminée d'après une évaluation à long terme;
- b) la valeur actuelle des paiements spéciaux rattachés à un passif à long terme non capitalisé révélé dans le dernier rapport déposé. («going concern assets»)

(5) Le paragraphe 1 (2) du Règlement est modifié par adjonction de la définition suivante :

«gains ouvrant droit à pension» Les gains sur lesquels les cotisations sont fondées, de par les documents qui créent le régime et en justifient l'existence. («pensionable earnings»)

(6) La définition de «prestation de mise à pied permanente» au paragraphe 1 (2) du Règlement est abrogée et remplacée par ce qui suit :

«prestation de mise à pied permanente» Prestation de retraite ou prestation accessoire dont les conditions d'admissibilité comprennent la mise à pied permanente, que la prestation soit ou non assujettie au consentement de l'employeur ou, dans le cas d'un régime de retraite conjoint, à celui de l'employeur ou de l'administrateur. («permanent layoff benefit»)

(7) La définition de «rajustement de l'actif de solvabilité» au paragraphe 1 (2) du Règlement est abrogée.

(8) L'alinéa b) de la définition de «ratio de transfert» au paragraphe 1 (2) du Règlement est abrogé et remplacé par ce qui suit :

- b) à la somme du passif de solvabilité et du passif rattaché aux prestations qui a été exclu du calcul de ce passif.

2. Le Règlement est modifié par adjonction de l'article suivant :

1.2 (1) Pour l'application de la présente partie, le rajustement de l'actif de solvabilité lié à un rapport portant sur un régime dont les taux de cotisation sont fixés au moyen d'une méthode de répartition des prestations est égal à la somme des éléments suivants :

- a) le montant, qui peut être positif ou négatif, du rajustement de la valeur de l'actif de solvabilité en raison de l'application d'une méthode d'étalement qui stabilise les fluctuations à court terme de la valeur marchande de l'actif du régime, calculé sur une période maximale de cinq ans;
- b) la valeur actuelle des paiements spéciaux visés à l'alinéa 5 (1) a);
- c) la valeur actuelle des paiements spéciaux exigés pour acquitter le passif pour services antérieurs non capitalisé;
- d) la valeur actuelle de tous les paiements spéciaux visés à l'alinéa 5 (1) b), c), d) ou e), à l'exception des paiements spéciaux qui sont exigés pour acquitter le passif pour services antérieurs non capitalisé ou un déficit de solvabilité déterminé dans le rapport, qui sont prévus :
 - (i) pour la période de cinq ans qui commence à la date d'évaluation du rapport, dans le cas d'un régime autre qu'un régime de retraite conjoint,
 - (ii) pour la période qui court entre la date d'évaluation du rapport et la fin de la période de cinq ans qui commence dans les 12 mois qui suivent cette date, dans le cas d'un régime de retraite conjoint.

(2) Malgré le paragraphe (1), le rajustement de l'actif de solvabilité lié à un rapport portant sur un régime qui offre des prestations déterminées mais dont les taux de cotisation ne sont pas fixés au moyen d'une méthode de répartition des prestations est égal à la somme de l'élément «A» et de l'élément «B», où :

«A» représente le montant, qui peut être positif ou négatif, du rajustement de la valeur de l'actif de solvabilité en raison de l'application d'une méthode d'étalement qui stabilise les fluctuations à court terme de la valeur marchande de l'actif du régime, calculé sur une période maximale de cinq ans,

«B» représente le plus élevé de zéro et du montant calculé selon la formule suivante :

$$C + D - E$$

où :

«C» représente la valeur actuelle des cotisations obligatoires, déterminées selon la méthode d'évaluation actuarielle utilisée par le régime, qui doivent être versées pour la période de cinq ans qui commence à la date d'évaluation du rapport ou, dans le cas d'un régime de retraite conjoint, qui court entre cette date et la fin de la période de cinq ans qui commence dans les 12 mois qui la suivent,

«D» représente la valeur actuelle des paiements spéciaux visés à l'alinéa 5 (1) e) qui sont prévus pour la période applicable visée par la définition de l'élément «C», à l'exception des paiements spéciaux qui sont exigés pour acquitter un déficit de solvabilité déterminé dans le rapport,

«E» représente la valeur actuelle du coût normal, déterminé selon une méthode de répartition des prestations, pour la période applicable visée par la définition de l'élément «C».

(3) Pour l'application des paragraphes (1) et (2), la valeur actuelle des paiements spéciaux, des cotisations obligatoires et du coût normal est calculée à la date d'évaluation du rapport et en utilisant :

- a) les taux d'intérêt utilisés dans le rapport aux fins du calcul du passif de solvabilité, si le rajustement du passif de solvabilité est de zéro;
- b) les taux d'intérêt moyens utilisés dans le rapport aux fins du calcul du rajustement du passif de solvabilité, si celui-ci n'est pas de zéro.

(4) Dans le cas d'un régime de retraite conjoint, les valeurs actuelles déterminées pour l'application des définitions des éléments «C», «D» et «E» au paragraphe (2) sont calculées en fonction du total des gains ouvrant droit à pension prévus pour la période applicable visée par la définition de l'élément «C» au paragraphe (2).

3. Le Règlement est modifié par adjonction des articles suivants immédiatement avant l'intertitre «Financement des régimes de retraite» :

RÉGIMES DE RETRAITE CONJOINTS

3.1 (1) Pour l'application de la disposition 4 du paragraphe 1 (2) de la Loi, un régime doit, de par les documents qui le créent et en justifient l'existence, satisfaire aux critères supplémentaires suivants pour pouvoir être un régime de retraite conjoint :

1. Le montant total des cotisations que les participants doivent verser au régime relativement à un exercice, à l'exclusion des cotisations facultatives supplémentaires et des cotisations facultatives au titre des services antérieurs visées au paragraphe 39 (5) de la Loi, ne peut pas dépasser le montant total des cotisations que doit lui verser relativement à la même période l'employeur ou la personne ou l'entité qui est tenue de cotiser pour son compte, selon le cas.
2. Le régime n'autorise pas la réduction du montant ou de la valeur de rachat d'une prestation de retraite, d'une pension, d'une pension différée ou d'une prestation accessoire dans les circonstances visées au paragraphe 14 (2) ou (3) de la Loi, sauf en cas de liquidation.
3. Les employeurs ou les personnes ou les entités qui cotisent pour leur compte ou qui les représentent et les participants au régime ou leurs représentants sont chargés conjointement de prendre toutes les décisions au sujet de ses modalités et des modifications qui lui sont apportées.
4. Les employeurs ou les personnes ou les entités qui cotisent pour leur compte ou qui les représentent et les participants au régime ou leurs représentants sont chargés conjointement de prendre toutes les décisions concernant :
 - i. soit la nomination de l'administrateur du régime,
 - ii. soit la nomination ou la sélection de personnes comme membres d'un organisme ou d'une entité visé à l'alinéa 8 (1) b), c), e), f) ou h) de la Loi qui est l'administrateur du régime.
5. Le niveau des prestations de retraite d'un participant, autres que les prestations accessoires, et le montant de ses cotisations sont directement liés à ses gains ouvrant droit à pension.

(2) Les documents qui créent un régime de retraite conjoint et en justifient l'existence doivent énoncer la façon de prendre les décisions visées aux dispositions 3 et 4 du paragraphe (1).

3.2 Le Régime de retraite des employés municipaux de l'Ontario est prescrit à titre de régime de retraite conjoint pour l'application de la Loi.

4. (1) Le paragraphe 4 (1) du Règlement est abrogé et remplacé par ce qui suit :

(1) Le régime énonce l'obligation qu'a l'employeur ou toute personne ou entité qui est tenue de cotiser pour son compte et, dans le cas d'un régime de retraite conjoint, celle qu'ont ses participants, s'il y a lieu, de cotiser à la fois à l'égard de son coût normal, ainsi que de son passif à long terme non capitalisé et de son déficit de solvabilité éventuels.

(2) Le paragraphe 4 (2) du Règlement est modifié par substitution de ce qui suit au passage qui précède l'alinéa a) :

(2) Sous réserve du paragraphe (2.1), l'employeur qui est tenu de cotiser à un régime ou la personne ou l'entité qui est tenue de le faire pour son compte, le cas échéant, et, s'il y a lieu, les participants au régime ou leur représentant font, à la caisse de retraite ou à la compagnie d'assurance, selon le cas, des paiements qui ne sont pas inférieurs à la somme des éléments suivants :

(3) L'alinéa 4 (2) a) du Règlement est abrogé et remplacé par ce qui suit :

- a) les cotisations, y compris celles relatives à tout passif à long terme non capitalisé et à tout déficit de solvabilité ainsi que les sommes déduites par retenues salariales ou autrement, qui sont reçues des employés à titre de cotisations des employés au régime;

(4) L'alinéa 4 (2) d) du Règlement est abrogé et remplacé par ce qui suit :

- d) les paiements spéciaux déterminés conformément aux articles 31, 32 et 35 et les paiements déterminés conformément à l'article 31.1.

(5) L'article 4 du Règlement est modifié par adjonction des paragraphes suivants :

(2.2) Malgré les paragraphes (1) et (2), le montant des cotisations qui doivent être versées à un régime qui offre des prestations déterminées peut être déterminé selon une méthode d'évaluation actuarielle autre qu'une méthode de répartition des prestations si :

- a) d'une part, la méthode d'évaluation actuarielle qui est utilisée est compatible avec les normes actuarielles reconnues;
- b) d'autre part, les règles énoncées au paragraphe (2.3) sont respectées.

(2.3) Pour l'application de l'alinéa (2.2) b), les règles sont les suivantes :

1. Si une méthode de répartition des prestations ne devait pas donner de passif à long terme non capitalisé, la valeur actuelle des cotisations obligatoires qui doivent être versées pour les trois années qui suivent la date d'évaluation, déterminées selon la méthode d'évaluation actuarielle utilisée par le régime, ne doit pas être inférieure à la valeur actuelle des cotisations qui seraient versées à l'égard du coût normal du régime, déterminé selon la méthode de répartition des prestations, après affectation de tout gain actuariel à sa réduction conformément au paragraphe 7 (3).
2. Si une méthode de répartition des prestations devait donner un passif à long terme non capitalisé, la valeur actuelle des cotisations obligatoires, déterminées selon la méthode d'évaluation actuarielle utilisée par le régime, ne doit pas être inférieure à la somme de la valeur actuelle du coût normal et de celle des paiements spéciaux déterminés conformément à l'article 5 qui seraient nécessaires pour acquitter un tel passif.
3. Le ou les taux d'intérêt à utiliser pour le calcul des valeurs actuelles visées aux dispositions 1 et 2 correspondent aux taux utilisés dans le rapport à l'égard de l'évaluation à long terme.
4. Les valeurs actuelles visées à la disposition 2 sont calculées en fonction de celle des périodes suivantes qui est la plus longue :
 - i. la période qui court entre la date d'évaluation et la fin de la portion à courir de la période d'amortissement du passif à long terme non capitalisé dont cette portion est la plus longue,
 - ii. la période de trois ans qui commence à la date d'évaluation.
5. Dans le cas d'un régime de retraite conjoint :
 - i. les valeurs actuelles visées à la disposition 1 sont calculées en fonction du total des gains ouvrant droit à pension prévus pour chaque année de la période de trois ans qui commence à la date d'évaluation,
 - ii. les valeurs actuelles visées à la disposition 2 sont calculées en fonction de la période utilisée pour l'application de la disposition 4 et du total des gains ouvrant droit à pension prévus pour chaque année de cette période,
 - iii. les hypothèses actuarielles utilisées pour déterminer les totaux, visés aux sous-dispositions i et ii, des droits ouvrant droit à pension prévus sont les mêmes que celles utilisées dans le rapport à l'égard de l'évaluation à long terme.
6. Sous réserve de la disposition 7, le taux de cotisation obligatoire d'un régime de retraite conjoint est déterminé comme un pourcentage constant des gains ouvrant droit à pension pour chaque catégorie de participants, sous réserve de toute modification requise aux fins de la coordination avec le *Régime de pensions du Canada*.
7. Si le taux de cotisation obligatoire fixé dans un rapport portant sur un régime de retraite conjoint est supérieur à celui déterminé dans le dernier rapport déposé et que le rapport révèle l'existence d'un passif à long terme non capitalisé, le taux de cotisation obligatoire peut, chaque année pendant un maximum de trois ans, à compter d'au plus tard 12 mois après la date d'évaluation, être augmenté d'au moins du tiers de la différence entre les deux taux de cotisation, mais seulement si les conditions suivantes sont réunies :

- i. le taux de cotisation d'après cette période correspond à un pourcentage constant des gains ouvrant droit à pension, sous réserve de toute modification requise aux fins de la coordination avec le *Régime de pensions du Canada*,
- ii. la valeur actuelle des cotisations obligatoires selon les taux majorés n'est pas inférieure à la valeur actuelle minimale déterminée conformément aux dispositions 2, 3 et 4.

(2.4) Si, conformément au paragraphe (2.2), le montant des cotisations qui doivent être versées à un régime qui offre des prestations déterminées est déterminé selon une méthode d'évaluation actuarielle autre qu'une méthode de répartition des prestations, les paiements faits à la caisse de retraite ou à la compagnie d'assurance, selon le cas, ne doivent pas être inférieurs à la somme des éléments suivants :

- a) les cotisations obligatoires déterminées selon la méthode d'évaluation actuarielle;
- b) les paiements spéciaux déterminés conformément à l'article 5 relativement à tout déficit de solvabilité.

(2.5) Si le montant des cotisations qui doivent être versées à un régime qui offre des prestations déterminées est déterminé conformément au paragraphe (2.2) selon une méthode d'évaluation actuarielle autre qu'une méthode de répartition des prestations, ces cotisations sont réputées celles qui doivent être versées aux termes du présent règlement et les définitions à l'article 1 s'appliquent avec les adaptations nécessaires.

(2.6) Si un rapport révèle qu'une augmentation du coût normal est nécessaire à l'égard d'un régime de retraite conjoint dont les taux de cotisation sont fixés au moyen d'une méthode de répartition des prestations, le versement de cette augmentation commence dans les 12 mois qui suivent la date d'évaluation.

(2.7) Si un rapport révèle un passif à long terme non capitalisé qui doit être acquitté à l'égard d'un régime de retraite conjoint dont les taux de cotisation sont fixés au moyen d'une méthode de répartition des prestations, les paiements spéciaux rattachés à ce passif, déterminés conformément au paragraphe 5 (1.2), peuvent être augmentés d'au moins du tiers, chaque année pendant un maximum de trois ans, à compter d'au plus tard 12 mois après la date d'évaluation, mais seulement si les conditions suivantes sont réunies :

- a) les paiements spéciaux d'après cette période correspondent à un pourcentage constant des gains ouvrant droit à pension;
- b) la valeur actuelle des paiements spéciaux, y compris les paiements spéciaux majorés, n'est pas inférieure au passif à long terme non capitalisé.

(2.8) Dans le cas d'un régime de retraite conjoint, les cotisations visées au paragraphe 39 (3) de la Loi comprennent les cotisations versées par un ancien participant à l'égard de tout passif à long terme non capitalisé ou de tout déficit de solvabilité.

(6) L'article 4 du Règlement est modifié par adjonction du paragraphe suivant :

(3.1) Le paragraphe (3) ne s'applique pas si le régime offre des prestations déterminées et ne se sert pas d'une méthode de répartition des prestations pour fixer les taux de cotisation.

(7) Le paragraphe 4 (4) du Règlement est modifié par substitution de ce qui suit au passage qui précède la disposition 1 :

(4) Les paiements visés aux paragraphes (2) et (2.4) sont faits par l'employeur ou par la personne ou l'entité qui est tenue de cotiser pour son compte, le cas échéant, et, s'il y a lieu, par les participants au régime dans les délais suivants :

.

(8) Les dispositions 2 et 4 du paragraphe 4 (4) du Règlement sont abrogées.

(9) Le paragraphe 4 (5) du Règlement est abrogé et remplacé par ce qui suit :

(5) Sous réserve des paragraphes (10) et (11), si la période visée par un rapport déposé aux termes de l'article 3, 5.3, 13 ou 14 ou présenté aux termes du présent article est terminée et qu'aucun rapport visant une période subséquente n'est déposé aux termes de l'article 14 ni présenté aux termes du présent article, l'employeur ou la personne ou l'entité qui est tenue de cotiser pour son compte, le cas échéant, et, s'il y a lieu, les participants au régime continuent de faire les paiements conformément au rapport déposé ou présenté le plus récemment aux termes de l'article 3, 5.3, 13 ou 14 ou du présent article.

(10) Les paragraphes 4 (9), (10) et (11) du Règlement sont abrogés et remplacés par ce qui suit :

(9) Si un rapport est présenté au surintendant aux termes du paragraphe (7.1), l'employeur ou la personne ou l'entité qui est tenue de cotiser pour son compte, le cas échéant, et, s'il y a lieu, les participants au régime font les paiements conformément au rapport.

(10) Sous réserve du paragraphe (11), si le montant d'un paiement exigé dans un rapport présenté aux termes du paragraphe (7.1) en ce qui concerne un régime est différent de celui exigé dans un rapport déposé par l'administrateur, l'employeur ou la personne ou l'entité qui est tenue de cotiser pour son compte, le cas échéant, et, s'il y a lieu, les participants au régime font le paiement exigé le plus élevé.

(11) Si, de l'avis du surintendant, le paiement exigé le plus élevé visé au paragraphe (10) n'est pas nécessaire pour faire en sorte que le régime ait un financement suffisant pour fournir les prestations qu'il prévoit, c'est le paiement exigé le moins élevé qui est fait.

(11) Le paragraphe 4 (13) du Règlement est abrogé et remplacé par ce qui suit :

(13) Le présent article ne s'applique pas aux régimes visés au paragraphe 6 (1), à moins qu'ils ne soient des régimes de retraite conjoints.

5. (1) L'article 5 du Règlement est modifié par adjonction des paragraphes suivants :

(1.1) Malgré les alinéas (1) b) et e), dans le cas d'un régime de retraite conjoint, les paiements spéciaux peuvent être déterminés conformément au paragraphe (1.2) à l'une ou l'autre des dates suivantes :

- a) la date à laquelle est né le passif à long terme non capitalisé, dans le cas des paiements spéciaux visés à l'alinéa (1) b);
- b) la date à laquelle est né le déficit de solvabilité, dans le cas des paiements spéciaux visés à l'alinéa (1) e).

(1.2) Les paiements spéciaux visés au paragraphe (1.1) sont déterminés conformément aux règles suivantes :

1. Chaque paiement prévu correspond à un pourcentage constant du total des gains ouvrant à pension des participants au régime à la date d'évaluation estimés à la date du début de ces paiements et, après cette date, annuellement jusqu'au terme de la période d'amortissement.
2. Le total, visé à la disposition 1, des gains ouvrant droit à pension prévus est déterminé selon les mêmes hypothèses actuarielles que celles sur lesquelles est fondée l'évaluation à long terme, en tenant compte de toute baisse importante prévue de ce total.
3. La valeur actuelle des paiements prévus, à la date visée à l'alinéa (1.1) a), est égale au passif à long terme non capitalisé ou au déficit de solvabilité à acquitter.
4. Les périodes d'amortissement applicables aux séries de paiements prévus sont les mêmes que les périodes correspondantes visées aux alinéas (1) b) et e) et commencent au plus tard 12 mois après la date d'évaluation.
5. La valeur actuelle des paiements prévus est déterminée :
 - i. d'une part, relativement au passif à long terme non capitalisé, en utilisant le ou les taux d'intérêt utilisés dans le rapport pour le calcul du passif à long terme non capitalisé,
 - ii. d'autre part, relativement au déficit de solvabilité, en utilisant les taux d'intérêt utilisés dans le rapport pour le calcul du déficit de solvabilité.

(2) L'article 5 du Règlement est modifié par adjonction du paragraphe suivant :

(16.2) Malgré les paragraphes (13), (14), (15), (16) et (16.1), si un régime offre des prestations déterminées et qu'une méthode de répartition des prestations n'est pas utilisée pour fixer les taux de cotisation, le solde créditeur de l'exercice antérieur à utiliser dans un rapport déposé ou présenté à son égard est de zéro.

(3) La version française du paragraphe 5 (17) du Règlement est modifiée par substitution de «qui sont prévus» à «qui sont censée être faits» dans le passage qui précède le paragraphe 1.

6. La version française de l'alinéa 5.3 (3) e) du Règlement est modifiée par substitution de «qui sont prévus» à «qui sont censés être faits».

7. Le Règlement est modifié par adjonction de l'article suivant immédiatement avant l'intertitre «Paiements — Régimes interentreprises et régimes à prestations déterminées ou à cotisations déterminées» :

FINANCEMENT DES RÉGIMES DE RETRAITE CONJOINTS

5.5 (1) Malgré le paragraphe 14 (10), un rapport intermédiaire portant sur un régime de retraite conjoint dont la date d'évaluation tombe le 31 décembre 2004 ou après cette date mais avant le 30 septembre 2005 peut être déposé après cette dernière date, mais non après le 30 juin 2006.

(2) Malgré les alinéas 5 (1) b) et e), les paiements spéciaux nécessaires pour acquitter tout passif à long terme non capitalisé ou tout déficit de solvabilité d'un régime de retraite conjoint, déterminé dans un rapport intermédiaire visé au présent article, peuvent être faits par versements mensuels égaux ou conformément aux paragraphes 5 (1.1) et (1.2) pour des périodes commençant au plus tard le 1^{er} janvier 2007 et se terminant au plus tard 15 ans ou cinq ans plus tard, selon le cas.

(3) La définition qui suit s'applique au présent article.

«rapport intermédiaire» Rapport déposé aux termes de l'article 14 pendant la période intermédiaire qui précède le moment où doit être déposé un rapport dont la date d'évaluation tombe trois ans après la dernière date d'évaluation.

8. L'article 6 du Règlement est modifié par adjonction du paragraphe suivant :

(6) Les paragraphes (1) à (5) ne s'appliquent pas au régime de retraite interentreprises qui est un régime de retraite conjoint.

9. (1) Le paragraphe 7 (1) du Règlement est abrogé et remplacé par ce qui suit :

(1) Tout gain actuariel du régime que révèle un rapport est affecté d'abord à la réduction du passif à long terme non capitalisé.

(2) Le paragraphe 7 (3) du Règlement est abrogé et remplacé par ce qui suit :

(3) Au cours d'un exercice pour lequel aucun paiement spécial n'est exigé par l'article 5 à l'égard d'un régime, le gain actuariel peut être affecté à la réduction des cotisations destinées aux coûts normaux que doivent verser soit l'employeur, soit la personne ou l'entité qui est tenue de cotiser pour son compte, soit les participants du régime, soit n'importe lequel d'entre eux.

10. Le paragraphe 11 (4) du Règlement est abrogé.

11. Le paragraphe 12 (1) du Règlement est abrogé et remplacé par ce qui suit :

(1) Le présent article s'applique relativement à la caisse de retraite d'un régime autre qu'un régime de retraite conjoint lorsqu'un rapport exigé par l'article 3 ou 14 est déposé auprès du surintendant ou qu'un rapport préparé aux termes de l'article 4 ou 13 lui est présenté.

12. L'article 13 du Règlement est modifié par adjonction du paragraphe suivant :

(2.1) Le rapport préparé aux termes du paragraphe (1) qui ne se sert pas d'une méthode de répartition des prestations pour fixer les taux de cotisation satisfait aux critères suivants :

- a) il précise le ou les taux de cotisation exigés aux termes du régime;
- b) il indique le coût normal ou son équivalent déterminé selon la méthode d'évaluation actuarielle utilisée par le régime;
- c) il comprend les renseignements exigés aux termes du paragraphe (1), déterminés selon une méthode de répartition des prestations, et les renseignements exigés aux termes du paragraphe (1.1).

13. L'article 14 du Règlement est modifié par adjonction du paragraphe suivant :

(8.1) Le rapport préparé aux termes du paragraphe (1) qui ne se sert pas d'une méthode de répartition des prestations pour fixer les taux de cotisation satisfait aux critères suivants :

- a) il précise le ou les taux de cotisation exigés aux termes du régime;
- b) il indique le coût normal ou son équivalent déterminé selon la méthode d'évaluation actuarielle utilisée par le régime;
- c) il comprend les renseignements exigés aux termes du paragraphe (7), déterminés selon une méthode de répartition des prestations, et les renseignements exigés aux termes du paragraphe (8).

14. L'article 16 du Règlement est modifié par adjonction du paragraphe suivant :

(4.1) La personne qui prépare un rapport visé au paragraphe (1) ou (2) utilise des méthodes d'évaluation actuarielle et des hypothèses actuarielles qui comprennent une méthode de répartition des prestations ou une méthode de répartition des cotisations et qui sont compatibles avec les *Normes de pratique consolidées — Normes de pratique applicables aux régimes de retraite*, entrées en vigueur le 1^{er} décembre 2002, que l'on peut se procurer auprès de l'Institut canadien des actuaires, au 150, rue Metcalfe, bureau 800, Ottawa (Ontario) K2P 1P1 ou sur son site Web à www.actuaries.ca.

15. (1) L'alinéa 19 (6) b) du Règlement est abrogé et remplacé par ce qui suit :

- b) le total des déficits de transfert rattachés à tous les transferts faits depuis la dernière date de révision ne dépasse pas 5 pour cent de l'actif du régime à ce moment.

(2) Le paragraphe 19 (9) du Règlement est abrogé.

16. (1) Le paragraphe 24 (3) du Règlement est abrogé et remplacé par ce qui suit :

(3) Les cotisations, autres que les cotisations facultatives supplémentaires, des participants et des anciens participants à un régime qui permettent l'obtention de prestations déterminées bénéficient, au moins annuellement, d'intérêts calculés à un taux qui n'est pas inférieur au taux calculé sur la base de la moyenne des rendements des dépôts de particuliers à terme fixe de cinq ans des banques à charte, tirés de la série V122515 du Système canadien d'information socio-économique (CANSIM), qui est établie par Statistique Canada et que l'on peut se procurer sur le site Web de la Banque du Canada, et concernant une période raisonnablement récente, de sorte que la période servant à faire la moyenne ne dépasse pas douze mois.

(2) Le paragraphe 24 (6) du Règlement est modifié par substitution de «tirés de la série V122515 du Système canadien d'information socio-économique (CANSIM), qui est établie par Statistique Canada et que l'on peut se

procurer sur le site Web de la Banque du Canada, et concernant une période raisonnablement récente» à «indiqués par le Système canadien d'information socio-économique dans la série B 14045 qui a été publiée mensuellement dans la *Revue de la Banque du Canada*, au cours d'une période récente».

17. Le Règlement est modifié par adjonction de l'article suivant :

31.1 (1) Tout passif qui doit être financé aux termes de l'alinéa 75.1 (1) b) ou (2) b) de la Loi l'est au moyen de versements mensuels égaux pendant un maximum de cinq ans ou au moyen de paiements fixés selon un échéancier.

(2) Les versements ou les paiements exigés par le paragraphe (1) sont faits à la caisse de retraite par l'employeur ou par la personne ou l'entité qui est tenue de cotiser pour son compte, le cas échéant, et, s'il y a lieu, par les participants au régime à partir de la date de prise d'effet de la liquidation.

(3) L'échéancier des paiements visé au paragraphe (1) est fixé de la façon suivante :

1. La valeur actuelle des paiements prévus, à la date de prise d'effet de la liquidation, est égale au passif qui doit être financé.
2. La période d'amortissement applicable aux paiements prévus se termine au plus tard cinq ans après la date de prise d'effet de la liquidation.
3. La valeur actuelle des paiements prévus est déterminée selon les taux d'intérêt utilisés dans le rapport de liquidation.

18. Le Règlement est modifié par adjonction de l'article suivant :

32.1 (1) Jusqu'à ce que tout passif visé à l'article 75.1 de la Loi ait été financé, l'administrateur d'un régime de retraite conjoint fait annuellement réviser le régime et préparer un rapport par une personne autorisée aux termes de l'article 15. Il dépose le rapport dans les six mois qui suivent sa date d'évaluation.

(2) Le rapport exigé par le paragraphe (1) précise les éléments suivants :

- a) le gain ou la perte du régime, depuis la date d'évaluation du rapport précédent, résultant de la différence entre la statistique actuarielle réelle et la statistique actuarielle prévue par les hypothèses faites dans le rapport précédent;
- b) l'augmentation ou la diminution des paiements spéciaux restants qui élimineront le gain ou la perte visé à l'alinéa a) sur le restant de la période de cinq ans commençant à la date de prise d'effet de la liquidation.

(3) Les paiements spéciaux exigés en raison d'une perte visée à l'alinéa (2) a) sont compris dans les paiements qui doivent être faits conformément à l'article 75.1 de la Loi.

(4) Lorsqu'un rapport préparé aux termes du présent article indique qu'il ne reste plus de montant à financer, l'excédent est traité conformément aux modalités du régime.

19. Le paragraphe 37 (15) du Règlement est modifié par substitution de «est tiré de la série V122495 du Système canadien d'information socio-économique (CANSIM), qui est établie par Statistique Canada et que l'on peut se procurer sur le site Web de la Banque du Canada» à «est déterminé conformément au Système canadien d'information socio-économique dans la série B 14020 publiée dans la *Revue de la Banque du Canada*».

20. Le paragraphe 47 (2.1) du Règlement est modifié par adjonction de la disposition suivante :

3. Les régimes de retraite conjoints.

21. (1) La disposition 1 du paragraphe 6 (2) de l'annexe 1 du Règlement est modifiée par substitution de «lequel taux est tiré de la série V122487 du Système canadien d'information socio-économique (CANSIM), qui est établie par Statistique Canada et que l'on peut se procurer sur le site Web de la Banque du Canada» à «tel qu'il est publié dans la *Revue de la Banque du Canada* sous le numéro de référence B-14013 du Système canadien d'information socio-économique» à la fin de la disposition.

(2) La disposition 2 du paragraphe 6 (2) de l'annexe 1 du Règlement est modifiée par substitution de «lequel taux est tiré de la série V122487 du Système canadien d'information socio-économique (CANSIM), qui est établie par Statistique Canada et que l'on peut se procurer sur le site Web de la Banque du Canada» à «tel qu'il est publié dans la *Revue de la Banque du Canada* sous le numéro de référence B-14013 du Système canadien d'information socio-économique» à la fin de la disposition.

22. (1) Sous réserve des paragraphes (2), (3), (4), (5) et (6), le présent règlement entre en vigueur le jour de son dépôt.

(2) Les paragraphes 1 (1), (4), (5) et (7), les articles 2 et 3, les paragraphes 4 (1), (2), (3), (4), (5), (6), (7), (9), (10) et (11) et 5 (1) et (2) et les articles 7, 8, 9, 11, 12, 13, 14 et 20 sont réputés être entrés en vigueur le 31 décembre 2004.

(3) Les paragraphes 1 (2), (3) et (6) entrent en vigueur le 1^{er} janvier 2007.

(4) Le paragraphe 1 (8) et l'article 15 entrent en vigueur le 1^{er} juillet 2006.

(5) Les articles 17 et 18 entrent en vigueur le dernier en date du 30 avril 2006 et du jour du dépôt du présent règlement.

(6) Le paragraphe (2) entre en vigueur le jour de l'entrée en vigueur de l'article 12 de l'annexe 18 de la *Loi de 2005 sur les mesures budgétaires (n° 2)*.

18/06

ONTARIO REGULATION 117/06

made under the

HIGHWAY TRAFFIC ACT

Made: April 6, 2006

Filed: April 19, 2006

Published on e-Laws: April 20, 2006

Printed in *The Ontario Gazette*: May 6, 2006

Amending Reg. 619 of R.R.O. 1990
(Speed Limits)

Note: Regulation 619 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Paragraph 7 of Part 3 of Schedule 5 to Regulation 619 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

Grey — Twp. of Southgate

7. That part of the King's Highway known as No. 6 in the Township Southgate in the County of Grey beginning at a point situate 860 metres measured northerly from its intersection with the centre line of the roadway known as Wilders Lake Road and extending northerly for a distance of 2290 metres.

2. (1) Paragraph 7 of Part 5 of Schedule 12 to the Regulation is revoked.

(2) Part 6 of Schedule 12 to the Regulation is amended by adding the following paragraph:

Grey — Twp. of Chatsworth

7. That part of the King's Highway known as No. 10 in the Township of Chatsworth in the County of Grey beginning at a point situate 442 metres measured southerly from its intersection with the centre line of the roadway known as Sideroad 60 and extending northerly for a distance of 900 metres.

Made by:

HARINDER JEET SINGH TAKHAR
Minister of Transportation

Date made: April 6, 2006.

18/06

ONTARIO REGULATION 118/06

made under the

ASSESSMENT ACT

Made: April 13, 2006

Filed: April 19, 2006

Published on e-Laws: April 20, 2006

Printed in *The Ontario Gazette*: May 6, 2006

Amending O. Reg. 80/05

(Deadlines for By-laws Adopting Optional Classes)

Note: Ontario Regulation 80/05 has not previously been amended.

1. Section 1 of Ontario Regulation 80/05 is amended by adding the following paragraph:

5. For the 2006 taxation year, June 30, 2006.

Made by:

DWIGHT DOUGLAS DUNCAN
Minister of Finance

Date made: April 13, 2006.

18/06

ONTARIO REGULATION 119/06

made under the

MUNICIPAL ACT, 2001

Made: April 13, 2006

Filed: April 19, 2006

Published on e-Laws: April 20, 2006

Printed in *The Ontario Gazette*: May 6, 2006

TAX MATTERS — TIME LIMITS FOR 2006 UNDER SECTIONS 308, 308.1, 310, 311, 314, 329.1 AND 362 OF THE ACT

Time limits

1. The time limits for 2006 under subsections 308 (4) and (5), 308.1 (4) and (5), 310 (7), 311 (2) and (4), 314 (1), 329.1 (2) and 362 (1) of the Act are extended to June 30, 2006.

Made by:

DWIGHT DOUGLAS DUNCAN
Minister of Finance

Date made: April 13, 2006.

18/06

ONTARIO REGULATION 120/06
made under the
ONTARIO ENERGY BOARD ACT, 1998

Made: April 19, 2006
Filed: April 20, 2006
Published on e-Laws: April 21, 2006
Printed in *The Ontario Gazette*: May 6, 2006

Amending O. Reg. 578/05
(Prescribed Contracts re Sections 78.3 and 78.4 of the Act)

Note: Ontario Regulation 578/05 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Ontario Regulation 578/05 is amended by adding the following section:

Contracts that meet prescribed rules

4. Procurement contracts that satisfy one of the following rules are prescribed contracts for the purposes of subsection 78.4 (1) of the Act:

1. Contracts that are entered into by the OPA pursuant to a direction by the Minister made under subsection 25.32 (4) of the *Electricity Act, 1998* dated October 6, 2005, entitled “Conservation and Demand-Side Management Initiatives (Residents of Low-Income and Social Housing)”.
2. Contracts that are entered into by the OPA pursuant to a direction by the Minister made under subsection 25.32 (4) of the *Electricity Act, 1998* dated October 20, 2005, entitled “Conservation and Demand-Side Management Initiatives (Appliance Change-Out and Efficient Lighting Initiatives)”.
3. Contracts that are entered into by the OPA pursuant to a direction by the Minister made under subsection 25.32 (4) of the *Electricity Act, 1998* dated March 10, 2006, entitled “Conservation and Demand-Side Management Initiatives (Residential Sector)”.
4. Contracts that are entered into by the OPA pursuant to a direction by the Minister made under subsection 25.32 (4) of the *Electricity Act, 1998* dated March 10, 2006, entitled “Conservation and Demand-Side Management Initiatives (Commercial Buildings and MUSH Sector)”.

18/06

NOTE: The Table of Regulations – Legislative History Overview and other tables related to regulations can be found at the e-Laws website (www.e-Laws.gov.on.ca) under Tables. Consolidated regulations may also be found at that site by clicking on Statutes and associated Regulations under Consolidated Law.

REMARQUE : On trouve le Sommaire de l'historique législatif des règlements et d'autres tables liées aux règlements sur le site Web Lois-en-ligne (www.lois-en-ligne.gouv.on.ca) en cliquant sur «Tables». On y trouve également les règlements codifiés en cliquant sur le lien Lois et règlements d'application sous la rubrique «Textes législatifs codifiés».

Publications under the Regulations Act Publications en vertu de la Loi sur les règlements

2006—05—13

ONTARIO REGULATION 121/06

made under the

LAND REGISTRATION REFORM ACT

Made: February 9, 2006

Filed: April 24, 2006

Published on e-Laws: April 24, 2006

Printed in *The Ontario Gazette*: May 13, 2006

Amending O. Reg. 16/99

(Automated System)

Note: Ontario Regulation 16/99 has previously been amended. Those amendments are listed in the Table of Regulations Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. The Table to subsection 3 (1) of Ontario Regulation 16/99 is amended by adding the following item:

| Column 1 | Column 2 |
|----------------|-----------------|
| Algoma (No. 1) | April 24, 2006. |

Made by:

GERRY PHILLIPS
Minister of Government Services

Date made: February 9, 2006.

19/06

ONTARIO REGULATION 122/06

made under the

SAFETY AND CONSUMER STATUTES ADMINISTRATION ACT, 1996

Made: April 5, 2006

Filed: April 24, 2006

Published on e-Laws: April 25, 2006

Printed in *The Ontario Gazette*: May 13, 2006

APPEAL OF DIRECTOR'S DECISION ON LICENCES UNDER PART VIII OF THE ELECTRICITY ACT, 1998

Definitions

1. In this Regulation,

“Authority” means the Electrical Safety Authority;

“Director” means a person appointed as a Director under Part VIII of the *Electricity Act, 1998*;

“Review Panel” means a panel of not more than three persons appointed by the Electrical Safety Authority.

Appeal to Review Panel

2. (1) If, after a hearing on a proposal under section 113.4 of the *Electricity Act, 1998*, a Director concludes the Director is entitled to carry out the proposal under that section, a person named in the proposal may appeal the decision of the Director to the Review Panel by filing a notice of appeal with the Review Panel within 15 days after the decision is made.

(2) In accordance with section 113.9 of the *Electricity Act, 1998*, if a person appeals a decision of a Director under subsection (1), the Review Panel shall review the decision and the person is not entitled to appeal it to the Divisional Court under section 113.10 of that Act except as provided in section 4 of this Regulation.

(3) Before or after the expiration of the time for appealing a decision, a person mentioned in subsection (1) may apply to the Review Panel for an extension of the time for appealing the decision.

(4) The extension shall be for no more than 15 days from the day that the Review Panel grants the extension.

(5) The Review Panel may grant the extension if it is satisfied that there are reasonable grounds for applying for the extension and that there are apparent grounds for granting the extension, and may give directions, as appropriate.

(6) An appeal under subsection (1) operates as a stay of the decision pending the outcome of the appeal.

(7) Upon the application of the Director, which may be made without notice, the Review Panel may order that the stay of the decision be lifted if, in its opinion, the action is necessary in the interest of public safety or consumer protection.

(8) Subject to subsection (10), if a person appeals under subsection (1), the Review Panel shall appoint a time for a hearing and hold the hearing.

(9) The Director or a person designated by the Director for that purpose is entitled to be heard at the hearing.

(10) If, on the application of a party to a hearing before the Review Panel with notice to the other parties, the Review Panel is satisfied that the appeal is frivolous or vexatious, the Review Panel may refuse to grant the hearing or may terminate the hearing at any time and make an order of costs as it considers appropriate in the circumstances.

(11) The Review Panel may, by order, confirm, amend, rescind or impose terms and conditions to the decision of the Director or make whatever other decision that the Review Panel deems appropriate.

(12) The Review Panel may make orders as to costs payable by the parties to the appeal and orders requiring the parties to the appeal to reimburse the Authority for its expenses incurred in respect of the appeal.

Rules for hearings

3. (1) The Authority may make rules establishing procedures for the hearing of appeals under section 2 including,

- (a) rules applicable if a member of the Review Panel conducting a hearing is unable to continue to conduct the hearing because of illness or other reason; and
- (b) rules providing that the oral evidence given before the Review Panel at a hearing may be recorded if a party to the hearing so requests and pays the fee established by the Authority for that purpose in accordance with section 12 of the Act.

(2) A rule made under clause (1) (a) may provide for the continuation or termination of the hearing, with or without the consent of the parties, or the commencement of a new hearing by a panel differently composed if the initial hearing is terminated.

(3) A rule made under this section may be general or specific in its application and may apply differently to different hearings.

Appeal to Divisional Court

4. (1) Any party to the hearing before the Review Panel under section 2 may appeal the decision of the Review Panel to the Divisional Court in accordance with the rules of court on any question that is not a question of fact alone.

(2) The Minister is entitled to be heard at a hearing under this section.

(3) The judge who hears an appeal under this section may,

- (a) refer the matter back to the Review Panel for reconsideration by the Review Panel; or
- (b) confirm or rescind the decision of the Review Panel.

(4) If the judge rescinds the decision of the Review Panel, the Director may carry out the Director's decision made after a hearing on the proposal under section 113.4 of the *Electricity Act, 1998*.

ONTARIO REGULATION 123/06

made under the

FARM IMPLEMENTS ACT

Made: April 18, 2006

Filed: April 25, 2006

Published on e-Laws: April 25, 2006

Printed in *The Ontario Gazette*: May 13, 2006

DEALERSHIP AGREEMENTS

Mandatory terms

1. (1) The terms set out in sections 2 and 3 are prescribed as the mandatory terms that must be included in any dealership agreement under subsection 3 (4) of the Act.

(2) The mandatory terms set out in sections 2 and 3 are deemed to form part of any dealership agreement even if the agreement fails to include them as required.

(3) A provision in a dealership agreement that limits, varies or attempts to waive a term set out in sections 2 and 3 is void.

Right to terminate

2. (1) The distributor has the right to terminate a dealership agreement if,

- (a) the dealer makes an assignment in bankruptcy under the *Bankruptcy and Insolvency Act* (Canada), a bankruptcy order has been made against the dealer or the dealer, being bankrupt, has not been discharged from bankruptcy;
- (b) an application is made under the *Business Corporations Act* to wind up, dissolve or liquidate the dealership or the dealership is being wound up by order of the court under that Act;
- (c) a guarantee of the dealer's accounts payable to the distributor is revoked or discontinued;
- (d) the dealer, other than for seasonal fluctuations, ceases or abandons all or part of its operations for 14 consecutive days or longer;
- (e) the dealer has been convicted of an offence under the Act;
- (f) the dealer fails to comply with any term of the dealership agreement; or
- (g) the dealer has been convicted of an offence under the *Criminal Code* (Canada) involving fraud, theft or false pretences or convicted of an offence under the *Consumer Protection Act, 2002*.

(2) The dealer has the right to terminate a dealership agreement if,

- (a) the distributor makes an assignment in bankruptcy under the *Bankruptcy and Insolvency Act* (Canada), a bankruptcy order has been made against the distributor or the distributor, being bankrupt, has not been discharged from bankruptcy;
- (b) an application is made under the *Business Corporations Act* to wind up, dissolve or liquidate the distributor or the distributor is being wound up by order of the court under that Act;
- (c) the distributor, other than for seasonal fluctuations, ceases or abandons all or part of its operations for 14 consecutive days or longer;
- (d) the distributor has been convicted of an offence under the Act;
- (e) the distributor has been convicted of an offence under the *Criminal Code* (Canada) involving fraud, theft or false pretences or convicted of an offence under the *Consumer Protection Act, 2002*; or
- (f) the distributor fails to comply with any term of the dealership agreement.

(3) The dealership agreement may be terminated with the consent in writing of both the distributor and dealer.

Other terms

3. (1) The dealer has the right, and the agreement shall not be interpreted as interfering with the right of the dealer to,

- (a) continue to offer for sale farm implements obtained from the distributor even if,
 - (i) the dealer has failed to achieve the distributor's sales targets so long as the failure is not unreasonable,
 - (ii) the dealer has sought to exercise a remedy under the Act, or
 - (iii) the dealer has refused to accept delivery of or purchase a farm implement or service from the distributor because the implement or service is not necessary for the operation of the dealership or is not a tool or equipment necessary for the service or repair of farm implements sold under the dealership agreement;

- (b) renew or transfer the dealership agreement;
- (c) transfer any interest in the dealership at any time, including upon the death of the dealer, to a related person, a trust established for that related person or a corporation controlled by the related person or to a partner in the dealership; and
- (d) assume control of another dealership or amalgamate the dealership with another one.
- (2) The dealer shall notify the distributor in writing of any change in the dealer's ownership, management or share structure.
- (3) A dealer who wishes to renew or transfer a dealership agreement under clause (1) (b) shall notify the distributor in writing of that fact.
- (4) A renewal or transfer of a dealership agreement under clause (1) (b) is subject to the approval of the distributor, which approval shall not be unreasonably withheld.
- (5) The approval of the distributor is not required in respect of a transfer under clause (1) (c) or a transaction under clause (1) (d).
- (6) If the distributor intends to refuse the transfer or renewal of the dealership agreement, the following rules apply:
1. The distributor shall notify the dealer in writing of the reasons for the refusal, within 45 days of receiving the request for approval.
 2. If the distributor fails to notify the dealer within the 45-day period, the transfer or renewal is deemed to be approved.
 3. The dealer shall be allowed 15 days from receipt of the notice to address the concerns underlying the refusal.
 4. After the 15-day period has passed, the distributor may, subject to subsection (3), refuse the transfer or renewal.
- (7) The distributor has the right to set sales targets that are fair and reasonable.
- (8) The distributor shall provide the dealer with details of marketing incentives offered to other dealers selling the same farm implements.

RÈGLEMENT DE L'ONTARIO 123/06

pris en application de la

LOI SUR LES APPAREILS AGRICOLES

pris le 18 avril 2006

déposé le 25 avril 2006

publié sur le site Lois-en-ligne le 25 avril 2006

imprimé dans la *Gazette de l'Ontario* le 13 mai 2006

ENTENTES DE DISTRIBUTION

Dispositions obligatoires

1. (1) Les dispositions énoncées aux articles 2 et 3 sont prescrites comme étant les dispositions obligatoires que doit inclure une entente de distribution conclue en application du paragraphe 3 (4) de la Loi.

(2) Les dispositions obligatoires énoncées aux articles 2 et 3 sont réputées faire partie d'une entente de distribution même si elles n'y sont pas incluses comme il est exigé.

(3) Est nulle la disposition d'une entente de distribution qui restreint ou modifie une disposition obligatoire énoncée aux articles 2 et 3 ou se présente comme une renonciation à celle-ci.

Droit de résilier

2. (1) Le distributeur a le droit de résilier une entente de distribution si, selon le cas :

- a) le vendeur fait une cession de faillite en vertu de la *Loi sur la faillite et l'insolvabilité* (Canada), une ordonnance de faillite a été rendue contre le vendeur ou le vendeur, étant devenu un failli, n'a pas été libéré de sa faillite;
- b) une requête est présentée en vertu de la *Loi sur les sociétés par actions* en vue de la liquidation ou de la dissolution du commerce du vendeur, ou le commerce du vendeur est en voie de liquidation par ordonnance du tribunal rendue en vertu de cette loi;
- c) une garantie à l'égard des comptes du vendeur qui est payable au distributeur est révoquée ou prend fin;

- u) le vendeur, pour des motifs autres que des fluctuations saisonnières, cesse ou abandonne tout ou partie de ses activités commerciales pendant 14 jours consécutifs ou plus;
 - e) le vendeur a été déclaré coupable d'une infraction à la Loi;
 - f) le vendeur ne se conforme pas à une disposition de l'entente de distribution;
 - g) le vendeur a été déclaré coupable d'une infraction au *Code criminel* (Canada) liée à une fraude, un vol ou un faux semblant ou a été déclaré coupable d'une infraction à la *Loi de 2002 sur la protection du consommateur*.
- (2) Le vendeur a le droit de résilier une entente de distribution si, selon le cas :
- a) le distributeur fait une cession de faillite en vertu de la *Loi sur la faillite et l'insolvabilité* (Canada), une ordonnance de faillite a été rendue contre le distributeur ou le distributeur, étant devenu un failli, n'a pas été libéré de sa faillite;
 - b) une requête est présentée en vertu de la *Loi sur les sociétés par actions* en vue de la liquidation ou de la dissolution du commerce du distributeur, ou le commerce du distributeur est en voie de liquidation par ordonnance du tribunal rendue en vertu de cette loi;
 - c) le distributeur, pour des motifs autres que des fluctuations saisonnières, cesse ou abandonne tout ou partie de ses activités commerciales pendant 14 jours consécutifs ou plus;
 - d) le distributeur a été déclaré coupable d'une infraction à la Loi;
 - e) le distributeur a été déclaré coupable d'une infraction au *Code criminel* (Canada) liée à une fraude, un vol ou un faux semblant ou a été déclaré coupable d'une infraction à la *Loi de 2002 sur la protection du consommateur*;
 - f) le distributeur ne se conforme pas à une disposition de l'entente de distribution.
- (3) L'entente de distribution peut être résiliée avec le consentement écrit du distributeur et du vendeur.

Autres dispositions

3. (1) Le vendeur a le droit de faire ce qui suit, et l'entente ne doit pas s'interpréter comme entravant ce droit :

- a) continuer de mettre en vente des appareils agricoles obtenus du distributeur même si, selon le cas :
 - (i) le vendeur n'a pas atteint l'objectif de ventes du distributeur, pourvu que le manque à gagner ne soit pas déraisonnable,
 - (ii) le vendeur a tenté d'exercer un recours que lui accorde la Loi,
 - (iii) le vendeur a refusé de prendre livraison d'un appareil agricole du distributeur ou d'acheter un appareil agricole ou un service au distributeur pour le motif que l'appareil ou le service n'est pas nécessaire pour l'exploitation du commerce du vendeur ou n'est pas un outil ou un équipement nécessaire pour l'entretien ou la réparation d'appareils agricoles vendus en vertu de l'entente de distribution;
- b) renouveler ou transférer l'entente de distribution;
- c) transférer un intérêt dans le commerce en tout temps, y compris au décès du vendeur, à une personne liée, une fiducie constituée au profit de celle-ci ou une société sous le contrôle de celle-ci ou à un associé du commerce;
- d) assumer le contrôle d'un autre commerce ou fusionner le commerce avec un autre.

(2) Le vendeur avise le distributeur par écrit de tout changement survenant au niveau de ses propriétaires, de ses gestionnaires et de la structure de son capital-actions.

(3) Le vendeur qui désire renouveler ou transférer une entente de distribution en vertu de l'alinéa (1) b) en avise le distributeur par écrit.

(4) Le renouvellement ou le transfert d'une entente de distribution effectué en vertu de l'alinéa (1) b) est assujéti à l'approbation du distributeur, qui ne doit pas être refusée sans motif raisonnable.

(5) L'approbation du distributeur n'est pas requise à l'égard d'un transfert effectué en vertu de l'alinéa (1) c) ou d'une opération effectuée en vertu de l'alinéa (1) d).

(6) Si le distributeur a l'intention de refuser le transfert ou le renouvellement de l'entente de distribution, les règles suivantes s'appliquent :

1. Le distributeur avise le vendeur par écrit des motifs du refus dans les 45 jours de la réception de la demande d'approbation.
2. Si le distributeur n'avise pas le vendeur dans le délai de 45 jours, le transfert ou le renouvellement est réputé approuvé.
3. Le vendeur jouit d'un délai de 15 jours à compter de la date de réception de l'avis pour donner suite aux préoccupations servant de motifs au refus.

4. Après l'expiration du délai de 15 jours, le distributeur peut, sous réserve du paragraphe (3), refuser le transfert ou le renouvellement.
- (7) Le distributeur a le droit d'établir des objectifs de ventes qui sont justes et raisonnables.
- (8) Le distributeur fournit au vendeur des précisions concernant les stimulants à la commercialisation offerts à d'autres vendeurs qui vendent les mêmes appareils agricoles.

Made by:
Pris par :

La ministre de l'Agriculture, de l'Alimentation et des Affaires rurales,

LEONA DOMBROWSKY
Minister of Agriculture, Food and Rural Affairs

Date made: April 18, 2006.
Pris le : 18 avril 2006.

19/06

ONTARIO REGULATION 124/06

made under the

PLANNING ACT

Made: April 25, 2006
Filed: April 26, 2006
Published on e-Laws: April 27, 2006
Printed in *The Ontario Gazette*: May 13, 2006

Amending O. Reg. 525/97
(Exemption from Approval (Official Plan Amendments))

Note: Ontario Regulation 525/97 has previously been amended. Those amendments are listed in the Table of Regulations — Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. The Schedule to Ontario Regulation 525/97 is amended by adding the following:

| Municipality | Date |
|----------------|-------------|
| City of Kenora | May 1, 2006 |

2. This Regulation comes into force on May 1, 2006.

RÈGLEMENT DE L'ONTARIO 124/06

pris en application de la

LOI SUR L'AMÉNAGEMENT DU TERRITOIRE

pris le 25 avril 2006
déposé le 26 avril 2006
publié sur le site Lois-en-ligne le 27 avril 2006
imprimé dans la *Gazette de l'Ontario* le 13 mai 2006

modifiant le Règl. de l'Ont. 525/97
(Exemption de l'approbation (modification d'un plan officiel))

Remarque : Le Règlement de l'Ontario 525/97 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des règlements qui se trouve sur le site www.lois-en-ligne.gouv.on.ca.

1. L'annexe du Règlement de l'Ontario 525/97 est modifiée par adjonction de ce qui suit :

| | |
|----------------|--------------------------|
| Municipalité | Date |
| Cité de Kenora | 1 ^{er} mai 2006 |

2. Le présent règlement entre en vigueur le 1^{er} mai 2006.

Made by:
Pris par :

Le ministre des Affaires municipales et du Logement,

JOHN PHILIP GERRETSEN
Minister of Municipal Affairs and Housing

Date made: April 25, 2006.
Pris le : 25 avril 2006.

19/06

ONTARIO REGULATION 125/06

made under the

ONTARIO WORKS ACT, 1997

Made: April 24, 2006
Filed: April 26, 2006
Published on e-Laws: April 27, 2006
Printed in *The Ontario Gazette*: May 13, 2006

Amending O. Reg. 136/98
(Designation of Geographic Areas and Delivery Agents)

Note: Ontario Regulation 136/98 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Schedule 2 to Ontario Regulation 136/98 is amended by adding the following item:

110. Neskantaga First Nation.

RÈGLEMENT DE L'ONTARIO 125/06

pris en application de la

LOI DE 1997 SUR LE PROGRAMME ONTARIO AU TRAVAIL

pris le 24 avril 2006
déposé le 26 avril 2006
publié sur le site Lois-en-ligne le 27 avril 2006
imprimé dans la *Gazette de l'Ontario* le 13 mai 2006

modifiant le Règl. de l'Ont. 136/98
(Désignation de zones géographiques et d'agents de prestation des services)

Remarque : Le Règlement de l'Ontario 136/98 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des règlements qui se trouve sur le site www.lois-en-ligne.gouv.on.ca.

1. L'annexe 2 du Règlement de l'Ontario 136/98 est modifiée par adjonction du numéro suivant :

110. Neskantaga First Nation

Made by:
Pris par :

La ministre des Services sociaux et communautaires,

MADELEINE MEILLEUR
Minister of Community and Social Services

Date made: April 24, 2006.
Pris le : 24 avril 2006.

19/06

ONTARIO REGULATION 126/06
made under the
FARM PRODUCTS MARKETING ACT

Made: March 9, 2005
Approved: April 26, 2006
Filed: April 27, 2006
Published on e-Laws: May 1, 2006
Printed in *The Ontario Gazette*: May 13, 2006

Amending O. Reg. 123/04
(Apples — Plan)

Note: Ontario Regulation 123/04 has not previously been amended.

1. Ontario Regulation 123/04 is amended by adding the following French version:

POMMES — PLAN

Plan

1. Le présent règlement énonce le plan pour la régie et la réglementation de la production et de la commercialisation des pommes en Ontario.

Définitions

2. Les définitions qui suivent s'appliquent au présent règlement.

«district» District de pomiculture créé aux termes de l'article 6. («district»)

«membre» Membre de la commission locale élu aux termes du présent règlement. («board member»)

«membre du groupe de district» Quiconque est membre d'un groupe de district de producteurs visé au paragraphe 7 (1) ou (2). («district group member»)

«pomme» S'entend notamment de toutes les variétés de pommes produites en Ontario. («apple»)

«producteur» S'entend :

- a) soit du propriétaire bénéficiaire d'une propriété de 10 acres ou plus sur laquelle des pommiers sont cultivés, si la propriété n'est pas louée;
- b) soit, si la propriété visée à l'alinéa a) est louée, du locataire de celle-ci. («producer»)

Commission locale

3. (1) Est constituée conformément aux règlements une commission locale appelée «Ontario Apple Growers».

(2) La commission locale est investie des pouvoirs énoncés aux dispositions suivantes de la *Loi sur les sociétés coopératives* :

1. Le paragraphe 15 (1) (Pouvoirs des coopératives).
2. Le paragraphe 15 (4), à l'égard seulement du pouvoir d'accepter des pouvoirs et des droits extra-provinciaux.
3. L'article 50 (Pouvoirs d'emprunts).
4. L'article 110 (Indemnisation des administrateurs et dirigeants).

(3) Les membres sont réputés les actionnaires et administrateurs de la commission locale dans l'exercice des pouvoirs visés au paragraphe (2).

Objets de la commission locale

4. (1) Les objets de la commission locale sont la régie et la réglementation de la production et de la commercialisation des pommes en Ontario.

(2) Aux fins de la réalisation de ses objets, la commission locale exerce les pouvoirs et a l'autorité qui lui sont délégués par la Commission en vertu des paragraphes 3 (3) et 7 (7) de la Loi et qui sont visés au Règlement de l'Ontario 125/04.

Composition de la commission locale

5. (1) La commission locale se compose de 10 membres.

(2) Les membres sont des producteurs élus pour représenter les cinq districts de pomiculture visés à l'article 6.

(3) Deux membres sont élus pour représenter chaque district de pomiculture conformément à l'article 9.

(4) Un producteur ne peut être élu membre pour un district de pomiculture que si les conditions suivantes sont réunies :

- a) il produit des pommes dans le district ou est membre du groupe de producteurs pour le district par l'effet du paragraphe 7 (2);
- b) au moment de son élection à la commission, il est représentant au comité de district pour le district, ayant été élu à ce titre aux termes de l'article 8.

(5) Le producteur qui produit des pommes dans plus d'un district de pomiculture ne doit pas être élu membre pour plus d'un district.

Districts de pomiculture

6. Sont créés les districts de pomiculture suivants aux fins des élections à la commission locale et au comité de district :

1. Le district 1 (Western District), qui comprend les municipalités de palier supérieur d'Essex, de Lambton et de Middlesex et la municipalité à palier unique de Chatham-Kent.
2. Le district 2 (Central West District), qui comprend les municipalités de palier supérieur de Huron, de Perth, d'Oxford et d'Elgin et les municipalités à palier unique de Haldimand et de Norfolk.
3. Le district 3 (Northern District), qui comprend les municipalités de palier supérieur de Bruce, de Grey, de Simcoe et de Dufferin.
4. Le district 4 (Central District), qui comprend les municipalités de palier supérieur de Wellington, de Peel, de York, de Halton, de Waterloo et de Niagara et les municipalités à palier unique de Brant, de Toronto et de Hamilton.
5. Le district 5 (Eastern District), qui comprend les municipalités de palier supérieur de Durham, de Northumberland, de Peterborough, du conseil de gestion de Frontenac, de Hastings, de Lanark, de Lennox et Addington, de Leeds et Grenville et de Prescott et Russell et les municipalités à palier unique de Kawartha Lakes, d'Ottawa, de Prince Edward, de Renfrew et de Stormont, Dundas et Glengarry.

Groupe de district de producteurs

7. (1) Les producteurs qui produisent des pommes dans un district de pomiculture forment un groupe de district de producteurs dont est membre chaque producteur qui produit des pommes dans le district.

(2) Le producteur qui produit des pommes dans une zone qui ne fait pas partie des districts visés à l'article 6 est membre du groupe de district de producteurs pour le district le plus rapproché de son lieu de production.

Comité de district

8. (1) Au plus tard le 31 décembre de chaque année, les membres du groupe de district d'un district de pomiculture élisent un comité de district appelé «District Apple Producers' Committee».

(2) Le comité de district se compose du nombre de représentants calculé comme suit en fonction du nombre de membres du groupe de district pour le district, selon un rapport 1/25 :

1. Si le nombre de membres du groupe de district est un multiple de 25, est élu au comité un représentant par tranche de 25 membres du groupe de district dans le district.
2. Si le nombre de membres du groupe de district n'est pas un multiple de 25, sont élus au comité un représentant par tranche de 25 membres du groupe de district dans le district et un représentant supplémentaire.

(3) Le mandat des représentants élus au comité de district commence le jour suivant leur élection et finit le jour de l'élection du comité l'année suivante.

Élection et mandat des membres

9. (1) Au plus tard le 31 décembre de chaque année, les membres du groupe de district pour chaque district élisent deux membres.

(2) Les membres élus exercent leurs fonctions du jour suivant l'assemblée annuelle des producteurs jusqu'à l'entrée en fonction de leurs successeurs.

(3) Si les membres du groupe de district pour un district n'élisent pas un membre au plus tard le 31 décembre d'une année donnée, les autres membres siégeant à la commission locale en nomment un pour le district parmi les membres du groupe de district.

Première commission locale

10. Dans les 15 jours qui suivent le 13 mai 2004, la Commission nomme 10 membres à la commission locale pour qu'ils exercent leurs fonctions jusqu'à l'élection ou la nomination de leurs successeurs conformément à l'article 9.

Vacances

11. (1) Si un membre qui représente un district particulier décède ou démissionne avant l'expiration de son mandat, les autres membres peuvent, dans les 30 jours qui suivent son décès ou sa démission, nommer un membre remplaçant parmi les membres du groupe de district provenant du district particulier pour combler la vacance jusqu'à l'expiration de son mandat.

(2) Si la commission locale ne nomme personne en vertu du paragraphe (1) dans les 30 jours qui suivent le décès ou la démission du membre, la Commission peut nommer le remplaçant.

(3) En cas d'empêchement d'un membre, les autres membres de la commission locale peuvent déclarer son poste vacant et nommer un membre remplaçant pour combler la vacance jusqu'à l'expiration de son mandat.

Présidence

12. (1) Le président de la commission locale a un mandat renouvelable d'un an.

(2) Le membre qui agit à titre de président de la commission locale pendant six mandats consécutifs d'un an ne peut de nouveau agir à ce titre que deux ans après la fin de son dernier mandat.

Made by:

Pris par :

ONTARIO FARM PRODUCTS MARKETING COMMISSION:
COMMISSION DE COMMERCIALISATION DES PRODUITS AGRICOLES DE L'ONTARIO :

DAVE HOPE
Chair
Président

GLORIA MARCO BORYS
Secretary
Secrétaire

Date made: March 9, 2005.

Pris le : 9 mars 2005.

I certify that I have approved this Regulation.

Je certifie que j'ai approuvé le présent règlement.

La ministre de l'Agriculture, de l'Alimentation et des Affaires rurales,

LEONA DOMBROWSKY
Minister of Agriculture, Food and Rural Affairs

Date approved: April 26, 2006.

Approuvé le : 26 avril 2006.

ONTARIO REGULATION 127/06

made under the

FARM PRODUCTS MARKETING ACT

Made: September 14, 2005

Approved: April 26, 2006

Filed: April 27, 2006

Published on e-Laws: May 1, 2006

Printed in *The Ontario Gazette*: May 13, 2006

Amending Reg. 439 of R.R.O. 1990
(Turkeys — Plan)

Note: Regulation 439 has previously been amended. Those amendments are listed in the Table of Regulations — Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Regulation 439 of the Revised Regulations of Ontario, 1990 is amended by adding the following French version:

DINDONS — PLAN

1. Est prorogé le plan figurant à l'annexe en vue de la régie et de la réglementation de la production et de la commercialisation de dindons en Ontario.

2. La commission locale nommée à l'annexe est investie des pouvoirs énoncés au paragraphe 15 (1), aux dispositions 1 à 8, 10 à 19 et 26 du paragraphe 15 (2) et aux articles 50 et 110 de la *Loi sur les sociétés coopératives*.

3. Les membres de la commission locale nommée à l'annexe sont réputés en être les actionnaires et administrateurs dans l'exercice des pouvoirs prévus à l'article 2.

ANNEXE PLAN

Loi sur la commercialisation des produits agricoles

1. Le présent plan peut être appelé «The Ontario Turkey Producers' Marketing Plan».

2. Les définitions qui suivent s'appliquent au présent plan.

«dindon» Dindon ou toute catégorie ou partie de celui-ci. («turkey»)

«marchand» Personne, à l'exception d'un transformateur, qui achète ou reçoit des dindons d'un producteur. («dealer»)

«producteur» Quiconque se livre à la production de dindons. («producer»)

«transformateur» Quiconque procède à l'abattage de dindons. («processor»)

«transformation» Abattage des dindons. («processing»)

3. Le présent plan prévoit la régie et la réglementation de tout ou partie des aspects de la production et de la commercialisation de dindons en Ontario, y compris l'interdiction totale ou partielle de pareilles production et commercialisation.

4. Est constituée une commission locale appelée «Commission ontarienne de commercialisation des dindons».

5. La commission locale se compose de sept membres, répartis comme suit :

1. Deux membres de chacun des districts 1, 2 et 3.

2. Un membre du district 4.

6. Les membres de la commission locale sont élus ou nommés conformément aux dispositions du présent plan et occupent leur poste jusqu'à l'élection ou la nomination de leurs successeurs.

7. Les producteurs sont regroupés dans les quatre districts suivants :

1. Le district 1, qui comprend les comtés d'Essex, de Kent, de Lambton, de Middlesex, d'Elgin et d'Oxford.

2. Le district 2, qui comprend le comté de Brant, la cité de Hamilton, les comtés de Haldimand et de Norfolk et la municipalité régionale de Niagara.
3. Le district 3, qui comprend les comtés de Wellington, de Perth et de Huron et la municipalité régionale de Waterloo.
4. Le district 4, qui comprend le reste de l'Ontario.
8. Les producteurs de chaque district mentionné à l'article 7 forment un groupe de district.
9. (1) Est constitué dans chaque district un comité d'au moins quatre membres appelé «District Turkey Producers' Committee».
- (2) Sous réserve du paragraphe (1), le nombre de membres d'un comité est calculé à raison d'un membre pour chaque groupe de cinq producteurs ou moins du district au 1^{er} août de l'année d'élection.
10. (1) Au plus tard le 1^{er} octobre 2001 et tous les deux ans par la suite, les producteurs du district 1 élisent parmi eux à leur comité et à la commission locale des représentants qui occupent leur poste pour un mandat de deux ans à compter du 1^{er} octobre.
- (2) Le membre titulaire de la commission locale qui représente le district 4, tel qu'il était constitué la veille de l'entrée en vigueur du présent règlement, continue d'occuper son poste à titre de membre de la commission représentant le district 2 jusqu'au 30 septembre 2002.
- (3) Le membre titulaire de la commission locale qui représente le district 5, tel qu'il était constitué la veille de l'entrée en vigueur du présent règlement, occupe son poste à titre de membre de la commission représentant le district 2 jusqu'au 30 septembre 2002.
- (4) Au plus tard le 1^{er} octobre 2002 et tous les deux ans par la suite, les producteurs du district 2 élisent parmi eux à leur comité et à la commission locale des représentants qui occupent leur poste pour un mandat de deux ans à compter du 1^{er} octobre.
- (5) Au plus tard le 1^{er} octobre 2001, les producteurs du district 3 élisent parmi eux des représentants à leur comité et un membre à la commission locale, lesquels occupent leur poste jusqu'au 30 septembre 2003.
- (6) Le membre titulaire de la commission locale qui représente le district 6, tel qu'il était constitué la veille de l'entrée en vigueur du présent règlement, continue d'occuper son poste à titre de membre supplémentaire de la commission représentant le district 3 jusqu'au 30 septembre 2003.
- (7) Au plus tard le 1^{er} octobre 2003 et tous les deux ans par la suite, les producteurs du district 3 élisent parmi eux à leur comité et à la commission locale des représentants qui occupent leur poste pour un mandat de deux ans à compter du 1^{er} octobre.
- (8) Le membre titulaire de la commission locale qui représente le district 7, tel qu'il était constitué la veille de l'entrée en vigueur du présent règlement, occupe son poste à titre de membre de la commission représentant le district 4 jusqu'au 30 septembre 2002.
- (9) Au plus tard le 1^{er} octobre 2002 et tous les deux ans par la suite, les producteurs du district 4 élisent parmi eux à leur comité et à la commission locale des représentants qui occupent leur poste pour un mandat de deux ans à compter du 1^{er} octobre.
- (10) Seules les personnes ayant une adresse postale dans un district donné peuvent être élues à la commission locale pour y représenter le district.
11. (1) Lorsque les producteurs d'un district n'élisent pas un représentant à la commission locale conformément aux dispositions de l'article 10, les membres de la commission nomment, au cours de sa première réunion suivant le 1^{er} octobre, les producteurs-membres nécessaires pour en compléter la composition.
- (2) Si un membre élu ou nommé à la commission locale décède ou démissionne avant l'expiration de son mandat, les membres de la commission peuvent nommer un producteur-membre pour en terminer le mandat.
- (3) Chaque producteur-membre nommé à la commission locale aux termes du paragraphe (1) ou (2) a son adresse postale dans le district pour lequel il est nommé.
- (4) La Commission peut nommer une personne pour terminer le mandat d'un membre si les membres de la commission locale n'en nomment pas un nouveau en vertu du paragraphe (2) dans les sept jours qui suivent le décès ou la démission du membre.

made by.
Pris par :

ONTARIO FARM PRODUCTS MARKETING COMMISSION:
COMMISSION DE COMMERCIALISATION DES PRODUITS AGRICOLES DE L'ONTARIO :

DAVE HOPE
Chair
Président

GLORIA MARCO BORYS
Secretary
Secrétaire

Date made: September 14, 2005.
Pris le : 14 septembre 2005.

I certify that I have approved this Regulation.
Je certifie que j'ai approuvé le présent règlement.

La ministre de l'Agriculture, de l'Alimentation et des Affaires rurales,

LEONA DOMBROWSKY
Minister of Agriculture, Food and Rural Affairs

Date approved: April 26, 2006.
Approuvé le : 26 avril 2006.

19/06

ONTARIO REGULATION 128/06
made under the
FARM PRODUCTS MARKETING ACT

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Amending Reg. 441 of R.R.O. 1990
(Vegetables for Processing — Plan)

Note: Regulation 441 has previously been amended. Those amendments are listed in the Table of Regulations — Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Regulation 441 of the Revised Regulations of Ontario, 1990 is amended by adding the following French version:

LÉGUMES DE TRANSFORMATION — PLAN

1. Est prorogé le plan figurant à l'annexe en vue de la régie et de la réglementation de la commercialisation de légumes en Ontario.

2. La commission locale nommée à l'annexe est investie des pouvoirs énoncés au paragraphe 15 (1), aux dispositions 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 et 26 du paragraphe 15 (2) et aux articles 50 et 110 de la *Loi sur les sociétés coopératives*.

3. Les membres de la commission locale nommée à l'annexe sont réputés en être les actionnaires et administrateurs dans l'exercice des pouvoirs prévus à l'article 2.

ANNEXE PLAN

Loi sur la commercialisation des produits agricoles

1. Le présent plan peut être appelé «The Ontario Vegetable Growers' Marketing-for-Processing Plan».

2. (1) Les définitions qui suivent s'appliquent au présent plan.

«légumes» Les légumes suivants qui sont produits en Ontario et utilisés aux fins de transformation :

les haricots verts et jaunes, les haricots de Lima, les betteraves rouges, le chou, exception faite de celui utilisé dans la salade de chou, les carottes, le chou-fleur, le maïs sucré, les concombres, les petits pois, les poivrons, la citrouille et la courge ou les tomates. («vegetables»)

«producteur» Quiconque se livre à la production de légumes. («producer»)

«transformateur» Quiconque se livre à la transformation de légumes. («processor»)

«transformation» S'entend des activités suivantes :

a) la mise en conserve, la déshydratation, le séchage, la congélation, le marinage ou la transformation avec du sucre, du dioxyde de soufre ou tout autre produit chimique ou par la chaleur, et le mélange d'un légume avec un ou plusieurs autres légumes;

b) la conclusion d'un contrat d'achat de légumes pour exercer à leur égard les activités visées à l'alinéa a). («processing»)

(2) N'est pas considéré comme un transformateur de concombres pour l'application du présent règlement quiconque met des concombres en saumure pour en prolonger la durée de conservation et pouvoir ainsi les vendre à des fins de transformation, mais n'exerce aucune autre des activités mentionnées dans la définition de «transformation» au paragraphe (1).

3. Le présent plan prévoit la régie et la réglementation de tout ou partie des aspects de la production et de la commercialisation de légumes en Ontario, y compris l'interdiction totale ou partielle de pareilles production et commercialisation.

4. Est prorogée la commission locale appelée «The Ontario Vegetable Growers' Marketing Board» sous le nom de «Ontario Processing Vegetable Growers».

5. La commission locale se compose de 10 producteurs-membres.

6. Les membres de la commission locale sont élus ou nommés conformément aux dispositions du plan et occupent leur poste jusqu'à l'élection ou la nomination de leurs successeurs.

7. Les producteurs sont regroupés dans les trois districts suivants :

1. Le district 1, qui comprend les comtés d'Essex et de Kent.

2. Le district 2, qui comprend les comtés de Bruce, de Huron, de Lambton, de Middlesex, d'Oxford, de Perth, de Hastings, de Northumberland et de Prince Edward et la municipalité régionale de Durham.

3. Le district 3, qui comprend les comtés de Brant et d'Elgin et les municipalités régionales de Haldimand-Norfolk et de Niagara.

8. (1) Les producteurs dont le lieu de production se situe dans l'un des districts mentionnés à l'article 7 sont membres de ce district.

(2) Les producteurs dont le lieu de production ne se situe pas dans l'un des districts mentionnés à l'article 7 sont membres du district le plus proche de leur lieu de production.

9. Est constitué dans chaque district un comité de district appelé «District Vegetable Growers' Committee».

10. (1) Sous réserve du paragraphe (2), les membres de chaque district élisent parmi eux au comité de district, au plus tard le 31 décembre de chaque année, un membre pour chaque groupe de 20 producteurs ou moins.

(2) Les membres de chaque district élisent au moins 10 membres au comité de district.

11. (1) Au plus tard le 31 décembre de chaque année, chaque comité de district peut élire le nombre de membres suivant à la commission locale :

1. Cinq membres pour le district 1.
2. Trois membres pour le district 2.
3. Deux membres pour le district 3.

(2) À l'élection devant se tenir dans le district 1 en 1998, au moins deux membres dont le lieu de production se situe dans le comté d'Essex et au moins deux membres dont le lieu de production se situe dans le comté de Kent sont élus à la commission locale en vertu du paragraphe (1).

(3) Seuls les membres d'un district peuvent être élus à la commission locale pour représenter le district.

12. (1) Si, au cours d'une année donnée, un comité de district n'élit pas un ou plusieurs membres à la commission locale conformément au paragraphe 11 (1), les membres élus à la commission nomment, à sa première réunion qui suit le 31 décembre de cette année-là, les producteurs-membres nécessaires pour en compléter la composition.

(2) Si un membre élu ou nommé à la commission locale décède ou démissionne avant le 31 décembre de l'année qui suit la date de son élection ou de sa nomination, les autres membres de la commission peuvent nommer un producteur-membre pour en terminer le mandat.

(3) Seuls les membres d'un district peuvent être nommés à la commission locale pour représenter le district.

Made by:
Pris par :

ONTARIO FARM PRODUCTS MARKETING COMMISSION:
COMMISSION DE COMMERCIALISATION DES PRODUITS AGRICOLES DE L'ONTARIO :

DAVE HOPE
Chair
Président

GLORIA MARCO BORYS
Secretary
Secrétaire

Date made: September 14, 2005.
Pris le : 14 septembre 2005.

I certify that I have approved this Regulation.
Je certifie que j'ai approuvé le présent règlement.

La ministre de l'Agriculture, de l'Alimentation et des Affaires rurales,

LEONA DOMBROWSKY
Minister of Agriculture, Food and Rural Affairs

Date approved: April 26, 2006.
Approuvé le : 26 avril 2006.

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Amending Reg. 428 of R.R.O. 1990

(Seed Corn — Plan)

Note: Regulation 428 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Regulation 428 of the Revised Regulations of Ontario, 1990 is amended by adding the following French version:

MAÏS DE SEMENCE — PLAN

1. Est prorogé le plan figurant à l'annexe en vue de la régie et de la réglementation de la production et de la commercialisation du maïs de semence en Ontario.

2. La commission locale nommée à l'annexe est investie des pouvoirs énoncés au paragraphe 15 (1) et aux articles 50 et 110 de la *Loi sur les sociétés coopératives*, ainsi que du pouvoir d'accepter des droits et pouvoirs extraprovinciaux qui est énoncé au paragraphe 15 (4) de la même loi.

3. Les membres de la commission locale sont réputés en être les actionnaires et administrateurs dans l'exercice des pouvoirs prévus à l'article 2.

ANNEXE

PLAN

Loi sur la commercialisation des produits agricoles

1. Le présent plan peut être appelé «The Ontario Seed-Corn Growers' Marketing Plan».

2. Les définitions qui suivent s'appliquent au présent plan.

«maïs de semence» Semence de maïs hybride ou de maïs à pollinisation libre de toute sorte ou variété produit en Ontario à des fins d'ensemencement, à l'exclusion toutefois de la semence du maïs sucré et du maïs soufflé. («seed-corn»)

«marchand» Quiconque conclut un contrat avec un producteur en vue de la production de maïs de semence. («dealer»)

«producteur» Quiconque se livre à la production de maïs de semence. («producer»)

3. Le présent plan prévoit la régie et la réglementation de tout ou partie des aspects de la production et de la commercialisation du maïs de semence en Ontario.

4. Est prorogée la commission locale appelée «The Ontario Seed-Corn Growers' Marketing Board» sous le nom de «Seed-Corn Growers of Ontario».

5. La commission locale se compose de sept membres.

6. (1) Nul producteur n'a le droit de voter aux élections de la commission locale sans être inscrit auprès d'elle à titre de producteur pour l'année courante ou l'avoir été pour l'année précédente.

(2) Le producteur exerce son droit de vote :

- a) soit en personne, s'il s'agit d'un particulier;
- b) soit, s'il ne s'agit pas d'un particulier, par l'intermédiaire du particulier qu'il désigne par écrit.

(3) Nul ne peut être membre de la commission locale si ce n'est, selon le cas :

- a) le producteur ayant le droit de voter aux élections de la commission locale, s'il s'agit d'un particulier;
- b) s'il ne s'agit pas d'un particulier, le particulier que le producteur ayant le droit de voter aux élections de la commission désigne par écrit.

7. Les producteurs sont regroupés dans les trois districts suivants :

1. Le district 1, qui comprend le comté d'Essex.
2. Le district 2, qui comprend le comté de Kent.
3. Le district 3, qui comprend le reste de l'Ontario.

8. Dans chaque district, les producteurs inscrits élisent, au plus tard le 31 mars de l'année, le nombre suivant de membres à la commission locale :

1. Un membre pour le district 1.
2. Cinq membres pour le district 2.
3. Un membre pour le district 3.

8.1 (1) Si les producteurs d'un district n'élisent pas un membre à la commission locale comme l'exige l'article 8, les producteurs des trois districts élisent ensemble le nombre de producteurs nécessaire pour en compléter la composition.

(2) Des producteurs de n'importe quel district peuvent être élus aux élections qui se tiennent pour compléter la composition de la commission locale.

8.2 (1) Si les producteurs n'élisent pas le nombre de membres nécessaire au plus tard le 31 mars de l'année conformément aux articles 8 et 8.1, les membres de la commission locale peuvent nommer des producteurs de n'importe quel district pour en compléter la composition.

(2) Sous réserve de l'article 8.3, les membres de la commission locale occupent leur poste pour un mandat de deux ans.

8.3 (1) Le présent article énonce les règles applicables au mandat des membres qui sont élus à la commission locale en 1999.

(2) Le mandat des membres élus dans le district 1 est de deux ans.

(3) Le mandat des membres élus dans le district 2 est d'un an, mais deux d'entre eux au plus peuvent, dans l'ordre alphabétique de leur nom de famille, choisir un mandat de deux ans.

(4) Le mandat des membres élus dans le district 3 est d'un an.

9. (1) Si un membre de la commission locale décède, démissionne ou ne peut pas ou ne veut pas exercer ses fonctions, les autres membres peuvent :

- a) soit nommer un producteur inscrit du district qui a élu le membre pour en terminer le mandat;
- b) soit convoquer une élection partielle pour le remplacer.

(2) Les producteurs n'ont le droit de voter lors d'une élection partielle que s'ils sont inscrits comme tels dans le district où les producteurs inscrits ont élu le membre de la commission locale que l'élection partielle vise à remplacer.

Made by:
Pris par :

ONTARIO FARM PRODUCTS MARKETING COMMISSION:
COMMISSION DE COMMERCIALISATION DES PRODUITS AGRICOLES DE L'ONTARIO :

DAVE HOPE
Chair
Président

GLORIA MARCO BORYS
Secretary
Secrétaire

Date made: September 14, 2005.
Pris le : 14 septembre 2005.

I certify that I have approved this Regulation.
Je certifie que j'ai approuvé le présent règlement.

La ministre de l'Agriculture, de l'Alimentation et des Affaires rurales,

LEONA DOMBROWSKY
Minister of Agriculture, Food and Rural Affairs

Date approved: April 26, 2006.
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Amending Reg. 434 of R.R.O. 1990
(Tender Fruit — Plan)

Note: Regulation 434 has previously been amended. Those amendments are listed in the Table of Regulations — Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Regulation 434 of the Revised Regulations of Ontario, 1990 is amended by adding the following French version:

FRUITS TENDRES — PLAN

1. Est prorogé le plan figurant à l'annexe en vue de la réglementation et de la régie de la commercialisation des fruits tendres en Ontario.

2. La commission locale nommée à l'annexe est investie des pouvoirs énoncés au paragraphe 15 (1), aux dispositions 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 et 26 du paragraphe 15 (2) et aux articles 50 et 110 de la *Loi sur les sociétés coopératives*.

3. Les membres de la commission locale nommée à l'annexe sont réputés en être les actionnaires et administrateurs dans l'exercice des pouvoirs prévus à l'article 2.

ANNEXE
PLAN

Loi sur la commercialisation des produits agricoles

1. Le présent plan peut être appelé «The Ontario Tender Fruit Producers' Marketing Plan».

2. Les définitions qui suivent s'appliquent au présent plan.

«fruit tendre» Pêches, poires, prunes, cerises sures et cerises douces produites en Ontario. («tender fruit»)

«producteur» Quiconque se livre à la production de fruits tendres. («producer»)

3. Le présent plan prévoit la régie et la réglementation de tout ou partie des aspects de la commercialisation des fruits tendres en Ontario, y compris l'interdiction totale ou partielle d'une pareille commercialisation.

4. Est constituée une commission locale appelée «The Ontario Tender Fruit Producers' Marketing Board».
5. La commission locale se compose de neuf membres qui occupent leur poste jusqu'à l'élection ou la nomination de leurs successeurs.
6. (1) Les producteurs sont regroupés dans les cinq districts suivants :
 1. Le district 1, qui comprend le district judiciaire de Niagara Nord et les municipalités régionales de Halton, de Hamilton-Wentworth et de Peel.
 2. Le district 2, qui comprend le district judiciaire de Niagara Sud.
 3. Le district 3, qui comprend le comté d'Essex.
 4. Le district 4, qui comprend les comtés de Kent et de Lambton.
 5. Le district 5, qui comprend la municipalité régionale de Haldimand-Norfolk et les comtés de Brant et d'Elgin.(2) Les producteurs qui ne font pas partie des districts mentionnés au paragraphe (1) sont membres du district le plus proche de leur lieu de production.
7. Est constitué dans chaque district un comité de district appelé «District Tender Fruit Producer's Committee».
8. Au plus tard le 15 avril de chaque année, les producteurs de chaque district élisent des représentants à leur comité de district à raison d'un représentant par groupe de 30 producteurs ou fraction de ce nombre.
9. Au plus tard le 30 avril de chaque année, chaque comité de district élit des membres à la commission locale, parmi ses membres, de la façon suivante :
 1. District 1, cinq membres.
 2. Districts 2 à 5, un membre par district.
10. (1) Au cours de sa première réunion suivant l'élection, la commission locale nomme le nombre de producteurs nécessaire pour en compléter la composition.
(2) Les membres de la commission locale peuvent à tout moment nommer un producteur pour combler un poste qui y est vacant.
11. Quiconque est élu membre de la commission locale aux termes de l'article 9 est tenu d'être membre du district pour lequel il est élu.

Made by:
Pris par :

ONTARIO FARM PRODUCTS MARKETING COMMISSION:
COMMISSION DE COMMERCIALISATION DES PRODUITS AGRICOLES DE L'ONTARIO :

DAVE HOPE
Chair
Président

GLORIA MARCO BORYS
Secretary
Secrétaire

Date made: September 14, 2005.
Pris le : 14 septembre 2005.

I certify that I have approved this Regulation.
Je certifie que j'ai approuvé le présent règlement.

La ministre de l'Agriculture, de l'Alimentation et des Affaires rurales,

LEONA DOMBROWSKY
Minister of Agriculture, Food and Rural Affairs

Date approved: April 26, 2006.
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Amending Reg. 415 of R.R.O. 1990
(Grapes for Processing — Plan)

Note: Regulation 415 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Regulation 415 of the Revised Regulations of Ontario, 1990 is amended by adding the following French version:

RAISIN DE TRANSFORMATION — PLAN

1. Est prorogé le plan figurant à l'annexe en vue de la régie et de la réglementation de la production et de la commercialisation de raisin et de jus de vendange tardive en Ontario.

2. La commission locale nommée à l'annexe est investie des pouvoirs énoncés aux dispositions suivantes de la *Loi sur les sociétés coopératives* :

1. Le paragraphe 15 (1) (Pouvoirs des coopératives).
2. Le paragraphe 15 (4), mais uniquement à l'égard du pouvoir d'accepter des droits et pouvoirs extraprovinciaux.
3. L'article 50 (Pouvoirs d'emprunts).
4. L'article 110 (Indemnisation des administrateurs, dirigeants et autres).

3. Les membres de la commission locale sont réputés en être les actionnaires et administrateurs dans l'exercice des pouvoirs prévus à l'article 2.

ANNEXE
PLAN

Loi sur la commercialisation des produits agricoles

1. Le présent plan peut être appelé «Ontario Grapes for Processing Plan».
2. (1) Les définitions qui suivent s'appliquent au présent plan.

«jus de vendange tardive» Jus que produit en Ontario un producteur de raisin à partir de raisin de vendange tardive qu'il y cultive et qui sert à la transformation en vin de glace, en vin de vendange tardive ou en d'autres vins, boissons spiritueuses, produits du raisin jus. («late harvest juice»)

«producteur» Quiconque se livre à la production de raisin ou de jus de vendange tardive. («producer»)

«raisin» Raisin produit en Ontario et servant, selon le cas :

- a) à la transformation par un transformateur;
- b) à la production de jus de vendange tardive. («grapes»)

«transformateur» Quiconque se livre à la transformation du raisin ou du jus de vendange tardive. («processor»)

«transformation» S'entend des activités suivantes :

- a) relativement au raisin, la fabrication de produits du raisin ou de jus, de boissons spiritueuses ou de vin à partir de raisin et, notamment, l'embouteillage, la distillation, la fermentation ou la transformation avec du sucre, du dioxyde de soufre ou tout autre produit chimique, à l'exclusion toutefois de la production de jus de vendange tardive;
- b) relativement au jus de vendange tardive, la fabrication de vin de glace, de vin de vendange tardive ou d'autres vins, boissons spiritueuses, produits du raisin ou jus à partir de jus de vendange tardive et, notamment, l'embouteillage, la distillation, la fermentation ou la transformation avec du sucre, du dioxyde de soufre ou tout autre produit chimique, à l'exclusion toutefois de la production de jus de vendange tardive. («processing»)

(2)

3. Le présent plan prévoit la régie et la réglementation de tout ou partie des aspects de la production et de la commercialisation de raisin et de jus de vendange tardive en Ontario.

4. Est constituée une commission locale appelée «Grape Growers of Ontario».

5. La commission locale se compose de huit membres.

6. Les membres de la commission locale sont élus ou nommés conformément aux dispositions du présent plan et occupent leur poste jusqu'à l'élection ou la nomination de leurs successeurs.

7. (1) Les producteurs sont regroupés dans les quatre districts suivants :

1. Le district 1, qui comprend la ville de Niagara-on-the-Lake dans la municipalité régionale de Niagara.
2. Le district 2, qui comprend la cité de St. Catharines et le district judiciaire de Niagara South dans la municipalité régionale de Niagara.
3. Le district 3, qui comprend la ville de Lincoln dans la municipalité régionale de Niagara.
4. Le district 4, qui comprend la ville de Grimsby et le canton de West Lincoln dans la municipalité régionale de Niagara, la municipalité de Chatham-Kent, la cité de Hamilton et les comtés d'Essex et de Prince Edward.

(2)

(3)

8. (1) Les producteurs de chaque district mentionné à l'article 7 forment un groupe de district.

(2) Le producteur d'une zone de l'Ontario qui ne figure pas parmi les districts mentionnés à l'article 7 peut devenir membre du groupe de district le plus proche de son lieu de production.

9. Est constitué un comité appelé «The Grape Growers' Committee».

10. Au plus tard le 15 avril de chaque année, les groupes de district élisent des représentants au comité, lesquels sont répartis comme suit :

1. Huit producteurs du district 1.
2. Trois producteurs du district 2.
3. Six producteurs du district 3.
4. Deux producteurs de la ville de Grimsby, du canton de West Lincoln et de la cité de Hamilton.
5. Un producteur du comté d'Essex ou de la municipalité de Chatham-Kent.
6. Un producteur du comté de Prince Edward.

11. Au plus tard le 30 avril de chaque année, le comité élit des membres à la commission locale, lesquels sont répartis comme suit :

1. Trois producteurs du district 1.
2. Un producteur du district 2.
3. Deux producteurs du district 3.
4. Un producteur du district 4.
5. Un producteur extraordinaire de l'un ou l'autre des districts 1 à 4.

12. (1) Si un groupe de district ne tient pas de réunion dans le but mentionné à l'article 10 au plus tard le 15 avril d'une année donnée, la commission locale fixe une date dès que possible dans ce but.

(2) Si le comité ne tient pas de réunion dans le but mentionné à l'article 11 au plus tard le 30 avril d'une année donnée, la commission locale fixe une date dès que possible dans ce but.

13. (1) Les membres élus à la commission locale nomment, au cours de sa première réunion suivant le 30 avril, les producteurs nécessaires pour en compléter la composition.

(2) Si un membre élu ou nommé à la commission locale décède ou démissionne avant le 30 avril de l'année suivant celle de son élection ou de sa nomination, les membres de la commission locale peuvent nommer un producteur pour en terminer le mandat.

(3) Les producteurs nommés à la commission locale aux termes du paragraphe (1) ou (2) représentent les districts pour lesquels ils sont respectivement nommés.

Made by:

Pris par :

ONTARIO FARM PRODUCTS MARKETING COMMISSION:
COMMISSION DE COMMERCIALISATION DES PRODUITS AGRICOLES DE L'ONTARIO :

DAVE HOPE
Chair
Président

GLORIA MARCO BORYS
Secretary
Secrétaire

Date made: September 14, 2005.

Pris le : 14 septembre 2005.

I certify that I have approved this Regulation.

Je certifie que j'ai approuvé le présent règlement.

La ministre de l'Agriculture, de l'Alimentation et des Affaires rurales,

LEONA DOMBROWSKY
Minister of Agriculture, Food and Rural Affairs

Date approved: April 26, 2006.

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19/06

ONTARIO REGULATION 132/06

made under the

FARM PRODUCTS MARKETING ACT

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Amending Reg. 432 of R.R.O. 1990

(Soybeans — Plan)

Note: Regulation 432 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Regulation 432 of the Revised Regulations of Ontario, 1990 is amended by adding the following French version:

SOYA — PLAN

1. Est prorogé le plan figurant à l'annexe en vue de la régie et de la réglementation de la production et de la commercialisation de soya en Ontario.

2. La commission locale nommée à l'annexe est investie des pouvoirs énoncés au paragraphe 15 (1), aux dispositions 1 à 8, 10 à 19 et 26 du paragraphe 15 (2) et aux articles 50 et 110 de la *Loi sur les sociétés coopératives*.

3. Les membres de la commission locale sont réputés en être les actionnaires et administrateurs dans l'exercice des pouvoirs prévus à l'article 2.

ANNEXE PLAN

Loi sur la commercialisation des produits agricoles

1. Le présent plan peut être appelé «The Ontario Soybean Growers' Marketing Plan».

2. Les définitions qui suivent s'appliquent au présent plan.

«producteur» Quiconque se livre à la production de soya en Ontario. («producer»)

«soya» Le soya produit en Ontario. («soybeans»)

3. Le présent plan prévoit la régie et la réglementation de tout ou partie des aspects de la production et de la commercialisation de soya en Ontario, y compris l'interdiction totale ou partielle de pareilles production et commercialisation.

4. Est prorogée la commission locale appelée «The Ontario Soybean Growers' Marketing Board» sous le nom de «Ontario Soybean Growers».

5. (1) La commission locale se compose du nombre de membres fixé conformément à l'article 9.

(2) Le mandat des membres de la commission locale expire à l'entrée en fonction de leurs successeurs.

6. (1) La commission locale constitue des districts selon les règles suivantes :

1. Un district comprend un ou plusieurs comtés ou municipalités régionales et s'il en comprend plusieurs, ils doivent être contigus.

2. Un district doit représenter au moins 5 pour cent des producteurs de la province et au moins 5 pour cent du soya qui y est commercialisé.

(1.1) Pour l'application de la disposition 2 du paragraphe (1), les pourcentages sont calculés en faisant la moyenne, sur les trois dernières années, du pourcentage des producteurs de la province qui résident dans le district envisagé et la moyenne, sur les trois dernières années, du pourcentage de soya que ces producteurs ont commercialisé.

(1.2) La commission locale peut à tout moment modifier les limites des districts conformément aux règles énoncées au paragraphe (1).

(1.3) La commission locale examine ses districts et voit s'il convient d'en modifier les limites :

- a) d'ici le 31 décembre 1999;
- b) dans les cinq années qui suivent l'examen prévu à l'alinéa a);
- c) dans les cinq années qui suivent chaque examen ultérieur prévu à l'alinéa b).

(1.4) Les modifications apportées aux limites des districts en vertu du présent article s'appliquent aux élections qui leur sont postérieures.

(2) Les producteurs qui résident dans un district sont membres du groupe de producteurs de ce district.

(3) Les producteurs qui ne résident pas dans un district sont membres du groupe de producteurs du district le plus proche de leur lieu de résidence.

7. Est constitué dans chaque district un comité de district appelé «District Soybean Growers' Committee».

8. (1) Au plus tard le 25 janvier 2000 et chaque année par la suite, les membres de chaque groupe de producteurs élisent parmi eux au comité de district des membres dont le nombre est calculé de la façon suivante :

- 1. Calculer conformément au paragraphe 9 (2) le pourcentage de producteurs et de soya commercialisé dans le district.
- 2. Multiplier le pourcentage calculé conformément à la disposition 1 par 125.
- 3. Si le nombre obtenu conformément à la disposition 2 comprend une fraction, l'arrondir au nombre entier le plus proche.

(2) Pour l'application de la disposition 3 du paragraphe (1), le nombre qui comprend la fraction 0,5 est arrondi au chiffre supérieur.

(3) Au plus tard le 25 janvier 2000 et chaque année par la suite, les membres de chaque groupe de producteurs du district qui comprend le comté d'Essex élisent parmi eux au comité de district un membre de l'île Pelée en plus de ceux qui sont élus aux termes du paragraphe (1).

(4) Le mandat des membres élus aux termes du présent article est d'un an ou se poursuit jusqu'à l'élection de leurs successeurs.

(5) Le mandat des membres élus avant le 25 janvier 2000 prend fin lorsque leurs successeurs sont élus aux termes du présent article.

9. (1) La commission locale fixe le nombre de membres de chaque district qui y sont représentés selon les règles suivantes :

- 1. Chaque district est représenté par au moins un membre.
- 2. Chaque district comptant 13 pour cent ou plus, mais moins de 20 pour cent de l'ensemble des producteurs et du soya commercialisé est représenté par deux membres.
- 3. Chaque district comptant de 20 pour cent ou plus, mais moins de 26 pour cent de l'ensemble des producteurs et du soya commercialisé est représenté par trois membres.
- 4. Chaque district comptant 26 pour cent ou plus de l'ensemble des producteurs et du soya commercialisé est représenté par quatre membres.

(2) Les pourcentages mentionnés aux dispositions 2, 3 et 4 du paragraphe (1) sont calculés de la façon suivante :

- 1. Calculer la moyenne, sur les trois dernières années, du pourcentage des producteurs de la province qui résident dans le district et appliquer un facteur de pondération de 50 pour cent.
- 2. Calculer la moyenne, sur les trois dernières années, du pourcentage de soya commercialisé par ces producteurs et appliquer un facteur de pondération de 50 pour cent.
- 3. Additionner les moyennes pondérées calculées aux termes des dispositions 1 et 2.

(3) La commission locale peut rajuster le nombre de membres de chaque district qui y sont représentés conformément aux règles énoncées au paragraphe (1).

(3.1) Les rajustements effectués au nombre de membres d'un district en vertu du présent article s'appliquent aux élections qui leur sont postérieures.

(4) Au plus tard le 31 janvier de chaque année, le comité de district élit les membres du district qui le représentent à la commission locale.

10. (1) Les membres élus à la commission locale nomment, à sa première réunion postérieure au 31 janvier, les membres nécessaires pour en compléter la composition.

(2) Si un membre élu ou nommé à la commission locale décède, démissionne ou ne peut pas ou ne veut pas exercer ses fonctions, les autres membres de la commission peuvent nommer un remplaçant pour en terminer le mandat.

11. Nul ne peut être élu ou nommé à la commission locale pour représenter un district sans être membre du groupe de producteurs de ce district.

Made by:
Pris par :

ONTARIO FARM PRODUCTS MARKETING COMMISSION:
COMMISSION DE COMMERCIALISATION DES PRODUITS AGRICOLES DE L'ONTARIO :

DAVE HOPE
Chair
Président

GLORIA MARCO BORYS
Secretary
Secrétaire

Date made: September 14, 2005.
Pris le : 14 septembre 2005.

I certify that I have approved this Regulation.
Je certifie que j'ai approuvé le présent règlement.

La ministre de l'Agriculture, de l'Alimentation et des Affaires rurales,

LEONA DOMBROWSKY
Minister of Agriculture, Food and Rural Affairs

Date approved: April 26, 2006.
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Amending Reg. 436 of R.R.O. 1990
(Tobacco — Plan)

Note: Regulation 436 has previously been amended. Those amendments are listed in the Table of Regulations — Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Regulation 436 of the Revised Regulations of Ontario, 1990 is amended by adding the following French version:

TABAC — PLAN

1. Est prorogé le plan figurant à l'annexe en vue de la régie et de la réglementation de la production et de la commercialisation de tabac en Ontario.

2. La commission locale nommée à l'annexe est investie des pouvoirs énoncés au paragraphe 15 (1), aux dispositions 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 et 26 du paragraphe 15 (2) et aux articles 50 et 110 de la *Loi sur les sociétés coopératives*.

3. Les membres de la commission locale nommée à l'annexe sont réputés en être les actionnaires et administrateurs dans l'exercice des pouvoirs prévus à l'article 2.

ANNEXE PLAN

Loi sur la commercialisation des produits agricoles

1. Le présent plan peut être appelé «The Ontario Flue-Cured Tobacco Growers' Marketing Plan».

2. Les définitions qui suivent s'appliquent au présent plan.

«commission locale» La Commission ontarienne de commercialisation du tabac jaune. («local board»)

«producteur» Quiconque se livre à la production de tabac en Ontario, y compris pour sa consommation personnelle. («producer»)

«tabac» Tabac brut produit en Ontario qu'il est d'usage d'appeler tabac jaune, tabac clair ou tabac de Virginie, y compris le tabac que la commission locale achète ou acquiert par d'autres moyens et qu'elle prépare pour l'entreposer ou le vendre. («tobacco»)

3. (1) Les définitions qui suivent s'appliquent au présent article.

«contingent de base relatif à la production» Contingent exprimé sous la forme d'un nombre précis de livres de tabac que la commission locale fixe et alloue à une personne et qu'elle calcule en fonction d'une superficie précise. («basic production quota»)

«contingent de production» Contingent exprimé sous la forme d'un nombre précis de livres de tabac que la commission locale fixe et alloue à une personne afin de produire un nombre précis de livres de tabac par année et qu'elle calcule en fonction d'un contingent de base relatif à la production. («production quota»)

(2) Aux fins de l'élection des représentants des producteurs à la commission locale ou au comité de district appelé «The District Flue-Cured Tobacco Growers' Committee» aux termes des articles 10 à 12 ou des conditions d'éligibilité à la commission ou au comité, un contingent de base relatif à la production d'au moins 10 000 livres de tabac est alloué au producteur qui produit du tabac pour son propre compte selon un contingent de production calculé en fonction de ce contingent de base, alloué pour l'année à l'égard de laquelle ses qualifications de producteur, eu égard aux articles 10 à 12, sont contestées, et qui, sous réserve du paragraphe (3), avise par écrit la commission locale, avant le 1^{er} octobre de cette année-là, de son intention de commercialiser pour son propre compte, selon un contingent de commercialisation que la commission locale lui alloue et qui est calculé en fonction d'un contingent de base relatif à la production de 10 000 livres, au moins la quantité de tabac qui peut être commercialisée selon un tel contingent de commercialisation et, selon le cas :

- a) si le producteur est une personne morale, la personne que celle-ci désigne éventuellement comme tel par écrit est réputée le producteur;
- b) si le producteur est une entreprise ou une société de personnes ou encore une ou plusieurs personnes se livrant à la production et à la commercialisation sous une désignation, notamment une appellation commerciale ou un nom d'exploitation agricole, la personne que l'entreprise, la société ou les personnes désignent éventuellement comme tel par écrit est réputée le producteur;
- c) si le producteur est une entité constituée d'au moins deux personnes se partageant un contingent, la première à se présenter pour inscrire le vote au nom des autres est réputée le producteur.

(3) Si elle reçoit un affidavit d'un producteur, au plus tard le 1^{er} octobre d'une année d'élection dans le district, l'informant qu'il n'a pas pu, en raison de conditions météorologiques défavorables, commercialiser la quantité de tabac visée au paragraphe (2) et qu'elle est convaincue de la véracité des faits qui y figurent, la commission locale peut ordonner que le producteur ait le droit d'élire des représentants des producteurs à la commission locale ou au comité de district ou d'y être élu cette année-là.

4. Le présent plan prévoit la régie et la réglementation de tout ou partie des aspects de la production et de la commercialisation de tabac en Ontario, y compris l'interdiction totale ou partielle de pareilles production et commercialisation.

5. Est constituée une commission locale appelée «Commission ontarienne de commercialisation du tabac jaune».
6. La commission locale se compose de 11 membres élus ou nommés conformément aux articles 10 à 14 qui occupent leur poste jusqu'à l'entrée en fonction de leurs successeurs aux termes du paragraphe 14 (4).
7. Sont créés les 10 districts suivants :
1. Le district 1, qui comprend les comtés d'Essex, de Kent, de Lambton et de Bruce, les cantons d'Aldborough et de Dunwich dans le comté d'Elgin ainsi que le comté de Middlesex, à l'exception du canton de North Dorchester.
 2. Le district 2, qui comprend le comté de Brant, à l'exception du canton d'Oakland.
 3. Le district 3, qui comprend les cantons de Malahide, de Southwold et de Yarmouth dans le comté d'Elgin et la partie du canton de Bayham qui est située à l'ouest de la route principale connue sous le nom de route n° 19 ainsi que le canton de North Dorchester dans le comté de Middlesex.
 4. Le district 4, qui comprend le canton d'Oakland dans le comté de Brant et les parties du comté de Norfolk qui correspondent à l'ancien canton de Townsend et aux lots n°s 1 à 12 des concessions n°s 6 à 11 dans l'ancien canton de Windham, les comtés de Northumberland, de Simcoe et de Dufferin et les parties de la municipalité régionale de Durham et des comtés de Peterborough et de Victoria qui faisaient auparavant partie du comté de Durham.
 5. Le district 5, qui comprend le comté de Waterloo ainsi que le comté d'Oxford, à l'exception des lots n°s 16 à 29 de la concession n° 12 dans le canton de South Norwich et de l'ancien canton de Dereham.
 6. Le district 6, qui comprend la partie du comté de Norfolk qui correspond à l'ancien canton de Windham dans l'ancien comté de Norfolk, à l'exception des lots n°s 1 à 12 des concessions n°s 6 à 11.
 7. Le district 7, qui comprend l'ancien canton de Middleton dans le comté de Norfolk ainsi que l'ancien canton de Dereham et les lots n°s 16 à 29 de la concession n° 12 dans le canton de South Norwich dans le comté d'Oxford.
 8. Le district 8, qui comprend la partie du comté de Norfolk qui correspond à l'ancien canton de North Walsingham dans l'ancien comté de Norfolk.
 9. Le district 9, qui comprend la partie du comté de Norfolk qui correspond aux anciens cantons de Houghton et de South Walsingham dans l'ancien comté de Norfolk et à la partie du canton de Bayham qui est située à l'est de la route principale connue sous le nom de route n° 19 dans le comté d'Elgin.
 10. Le district 10, qui comprend la partie du comté de Norfolk qui correspond aux anciens cantons de Charlotteville et de Woodhouse dans l'ancien comté de Norfolk.
8. (1) Les producteurs de chaque district mentionné à l'article 7 forment un groupe de district.
- (2) Les producteurs d'un district territorial ou d'un comté qui ne figure pas parmi les districts mentionnés à l'article 7 deviennent membres du groupe de producteurs du district le plus proche de leur lieu de production.
9. Est constitué dans chaque district un comité appelé «The District Flue-Cured Tobacco Growers' Committee» qui se compose d'au plus deux membres élus ou nommés conformément aux articles 10 à 14 qui occupent leur poste jusqu'à l'entrée en fonction de leurs successeurs aux termes du paragraphe 14 (4).
10. (1) Le premier mercredi du mois d'octobre 1987 et 1988 et tous les deux ans par la suite, les membres du groupe de producteurs des districts 1, 3, 5, 7 et 9 se réunissent pour proposer la candidature de producteurs de leurs districts respectifs à l'élection du membre de la commission locale et à celle des membres du comité de district.
- (2) Le premier mercredi du mois d'octobre 1987 et tous les deux ans par la suite, les membres du groupe de producteurs des districts 2, 4, 6, 8, et 10 se réunissent pour proposer la candidature de producteurs de leurs districts respectifs à l'élection du membre de la commission locale et à celle des membres du comité de district.
- (3) Tout producteur d'un district peut proposer la candidature d'un producteur du district à l'élection du membre de la commission locale.
- (4) Tout producteur d'un district, sauf celui dont la candidature est proposée en vertu du paragraphe (3), peut proposer la candidature d'un ou de plusieurs producteurs du district à l'élection des membres du comité de district.
- (5) S'il est convaincu que les déclarations de candidature visées aux paragraphes (3) et (4) sont complètes, le scrutateur le déclare et, après avoir donné à chaque candidat la possibilité de refuser, prend les mesures suivantes :
- a) il déclare le candidat élu, s'il est seul candidat à l'élection du membre de la commission locale;
 - b) il déclare les candidats élus, s'ils sont les deux seuls candidats à l'élection des membres du comité de district.
11. (1) La commission locale veille à organiser le ou les bureaux de vote qu'elle précise dans chaque district où le membre de la commission locale et ceux du comité de district n'ont pas été élus sans concurrent.

(2) L'élection des membres de la commission locale et du comité de district se tient le troisième mardi du mois d'octobre de l'année où des candidatures sont proposées aux termes du paragraphe 10 (1) ou (2).

(3) Le scrutin a lieu de 10 heures à 20 heures.

(4) La commission locale fournit les renseignements suivants par écrit aux producteurs qui ont le droit de voter, au moins sept jours avant la date de l'élection :

- a) le nom des candidats proposés aux termes de l'article 10;
- b) la date de l'élection et les heures de scrutin;
- c) le ou les bureaux de vote où les producteurs pourront voter.

12. (1) La commission locale nomme un scrutateur et toute autre personne nécessaire pour l'aider à s'occuper des déclarations de candidature et du déroulement du scrutin et fournit les bulletins de vote nécessaires.

(2) L'élection se fait au scrutin secret.

(3) Si deux personnes ou plus se classent deuxième dans le calcul du nombre de voix à l'élection des membres du comité de district ou obtiennent le plus grand nombre de voix à celle du membre de la commission locale, celle-ci tient les élections supplémentaires qui sont nécessaires pour départager les candidats.

(4) Le membre de la commission locale qui représente un district est d'office membre du comité de son district.

13. (1) Nul producteur ne peut voter à l'élection d'un membre de la commission locale ou d'un comité de district ou occuper un poste au sein de ces organismes dans plusieurs districts.

(2) Le producteur dont la candidature est proposée à l'élection d'un membre de la commission locale ou d'un comité de district dans plusieurs districts avise par écrit le secrétaire de la commission locale, au moins 10 jours avant la date de l'élection, dans quel district il sera candidat.

(3) S'il n'avise pas le secrétaire de la commission locale contrairement à ce que prévoit le paragraphe (2), le producteur ne peut être élu membre de la commission locale ou d'un comité de district que dans le district dans lequel il réside.

14. (1) Les membres de la commission locale nomment, le jeudi qui suit le quatrième mardi du mois d'octobre de chaque année :

- a) d'une part, le membre qui n'a pas à être élu selon les modalités énoncées aux articles 10, 11 et 12;
- b) d'autre part, les autres membres qui sont nécessaires pour compléter la composition de la commission et qui n'ont pas été élus aux termes des articles 10, 11 et 12.

(2) Chaque membre nommé aux termes de l'alinéa (1) b) est un producteur dans le district pour lequel il est nommé.

(3) Si un membre de la commission locale ou d'un comité de district décède, démissionne ou, à l'exception du membre nommé aux termes du paragraphe (1) a), cesse d'être producteur dans le district pour lequel il est élu ou nommé avant l'expiration de son mandat, les membres de la commission locale peuvent nommer pour en terminer le mandat une personne qui, sauf s'il s'agit de remplacer un membre nommé aux termes de l'alinéa (1) a), est un producteur du même district.

(4) Sous réserve du paragraphe (3), le mandat des membres de la commission locale et des comités de district commence le jeudi qui suit le quatrième mardi du mois d'octobre de l'année où ils sont élus ou nommés.

Made by:

Pris par :

ONTARIO FARM PRODUCTS MARKETING COMMISSION:
COMMISSION DE COMMERCIALISATION DES PRODUITS AGRICOLES DE L'ONTARIO :

DAVE HOPE
Chair
Président

GLORIA MARCO BORYS
Secretary
Secrétaire

Date made: September 14, 2005.
Pris le : 14 septembre 2005.

I certify that I have approved this Regulation.
Je certifie que j'ai approuvé le présent règlement.

La ministre de l'Agriculture, de l'Alimentation et des Affaires rurales,

LEONA DOMBROWSKY
Minister of Agriculture, Food and Rural Affairs

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FARM PRODUCTS MARKETING ACT

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Amending Reg. 403 of R.R.O. 1990
(Chickens — Plan)

Note: Regulation 403 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Regulation 403 of the Revised Regulations of Ontario, 1990 is amended by adding the following French version:

POULETS — PLAN

1. Est prorogé le plan figurant à l'annexe en vue de la régie et de la réglementation de la production et de la commercialisation du poulet en Ontario.

2. La commission locale nommée à l'annexe est investie des pouvoirs énoncés au paragraphe 15 (1), aux dispositions 1 à 8, 10 à 19 et 26 du paragraphe 15 (2) et aux articles 50 et 110 de la *Loi sur les sociétés coopératives*.

3. Les membres de la commission locale sont réputés en être les actionnaires et administrateurs dans l'exercice des pouvoirs prévus à l'article 2.

**ANNEXE
PLAN**

Loi sur la commercialisation des produits agricoles

1. Le présent plan peut être appelé «Ontario Chicken Plan».

2. Les définitions qui suivent s'appliquent au présent plan.

«poulet» Poulet ou toute catégorie ou partie de celui-ci provenant d'un oeuf de poule domestique. («chicken»)

«producteur» Personne à laquelle a été alloué un contingent en vue de la production de poulets. («producer»)

«transformateur» Quiconque procède à l'abattage de poulets. Le terme «transformation» a un sens correspondant. («processor», «processing»)

3. Aux fins de l'élection des représentants des producteurs au comité de district appelé «District Chicken Producers' Committee» et des conditions d'éligibilité à ce comité ou à la commission locale, le producteur est le propriétaire de la propriété où a lieu la production de poulet, à l'exception de celle qui est louée à un locataire qui produit et commercialise du poulet pour son propre compte, auquel cas le locataire est le producteur pendant la durée du bail et, selon le cas :

- a) si le producteur est une personne morale, la personne que celle-ci désigne éventuellement par écrit à l'égard de cette propriété est réputée le producteur;
- b) si le producteur est une entreprise ou une société ou encore une ou plusieurs personnes se livrant à la production et à la commercialisation sous une désignation, notamment une appellation commerciale ou un nom d'exploitation agricole, la personne que le ou les propriétaires désignent éventuellement par écrit à l'égard de cette propriété est réputée le producteur;
- c) si le producteur est une entité constituée d'au moins deux propriétaires conjoints, le premier propriétaire conjoint à se présenter pour inscrire le vote à l'égard de cette propriété est réputé le producteur.

4. Le présent plan prévoit la régie et la réglementation de tout ou partie des aspects de la production et de la commercialisation du poulet en Ontario, y compris l'interdiction totale ou partielle de pareilles production et commercialisation.

5. Est constituée une commission appelée «Chicken Farmers of Ontario».

6. La commission locale se compose de neuf producteurs-membres.

7. Les producteurs sont regroupés dans les neuf districts suivants :

- 1. Le district 1, qui comprend les comtés de Bruce, de Dufferin, de Grey et de Simcoe, la municipalité de district de Muskoka et les municipalités régionales de Peel et de York.
- 2. Le district 2, qui comprend le comté de Huron.
- 3. Le district 3, qui comprend les comtés d'Elgin, d'Essex, de Kent, de Lambton, de Middlesex et d'Oxford.
- 4. Le district 4, qui comprend la municipalité régionale de Haldimand-Norfolk, ainsi que la ville de Pelham et le canton de Wainfleet dans la municipalité régionale de Niagara.
- 5. Le district 5, qui comprend la municipalité régionale de Niagara, à l'exception de la ville de Pelham et du canton de Wainfleet.
- 6. Le district 6, qui comprend le comté de Brant, les municipalités régionales de Halton et de Hamilton-Wentworth et la partie de la municipalité régionale de Waterloo qui, au 31 décembre 1972, faisait partie du comté de Wentworth.
- 7. Le district 7, qui comprend le comté de Wellington.
- 8. Le district 8, qui comprend le comté de Perth et la municipalité régionale de Waterloo, à l'exception de la partie de cette municipalité régionale qui, au 31 décembre 1972, faisait partie du comté de Wentworth.
- 9. Le district 9, qui comprend les comtés de Frontenac, de Haliburton, de Hastings, de Lanark, de Northumberland, de Peterborough, de Prince Edward, de Renfrew et de Victoria, les comtés unis de Leeds et Grenville, de Lennox et Addington, de Prescott et Russell et de Stormont, Dundas et Glengarry et les municipalités régionales de Durham et d'Ottawa-Carleton.

8. (1) Les producteurs de chaque district mentionné à l'article 7 forment un groupe de producteurs de district.

(2) Le producteur d'un district territorial ou d'un comté qui ne figure pas parmi les districts mentionnés à l'article 7 peut devenir membre du groupe de producteurs de district le plus proche de son lieu de production.

9. (1) Est constitué dans chaque district un comité de producteurs-membres appelé «District Chicken Producers' Committee» dont les membres sont élus après l'élection d'un membre à la commission locale pour le district.

(2) Le nombre de membres de chaque comité est fonction du nombre de producteurs du district au moment de l'élection, soit :

| | |
|--------------------------|-----------|
| De 0 à 105 producteurs | 3 membres |
| De 106 à 135 producteurs | 4 membres |
| 136 producteurs et plus | 5 membres |

10. (1) Au plus tard le 15 mars 1996, les producteurs de chacun des districts 1 à 5 élisent parmi eux des représentants à leur comité et un représentant à la commission locale.

(2) Au plus tard le 15 mars 1997, les producteurs de chacun des districts 6 à 9 élisent parmi eux un représentant à la commission locale et des représentants à leur comité.

(3) Au plus tard le 15 mars 1998, les producteurs de chaque district élisent parmi eux un représentant à la commission locale et des représentants à leur comité.

(4) Au plus tard le 15 mars 1999 et tous les deux ans par la suite, les producteurs de chacun des districts 1 à 5 élisent parmi eux un représentant à la commission locale et des représentants à leur comité.

(5) Au plus tard le 15 mars 2000 et tous les deux ans par la suite, les producteurs de chacun des districts 6 à 9 élisent parmi eux un représentant à la commission locale et des représentants à leur comité.

(6) Le mandat de chaque personne élue aux termes du présent article commence le jour de l'assemblée annuelle de la commission locale qui suit son élection et se termine lors de l'entrée en fonction de son remplaçant.

(7) Seules les personnes résidant dans le district visé sont éligibles à la commission locale.

11. (1) Lorsque les producteurs d'un district n'élisent pas un représentant à la commission locale conformément à l'article 10, les membres de la commission locale nomment, au cours de la première réunion suivant le 15 mars, les producteurs-membres nécessaires pour en compléter la composition.

(2) En cas de décès, de démission ou d'empêchement d'un membre élu ou nommé à la commission locale ou si celui-ci cesse d'être producteur avant l'expiration de son mandat, les membres de la commission locale peuvent nommer un producteur-membre pour en terminer le mandat.

(3) Le producteur-membre nommé membre de la commission locale aux termes du paragraphe (1) ou (2) doit être producteur et résider dans le district pour lequel il est nommé.

(4) La Commission peut nommer un producteur pour terminer le mandat d'un membre si les membres de la commission locale n'en nomment pas un nouveau en vertu du paragraphe (2) dans les sept jours qui suivent le décès, la démission ou l'empêchement du membre ou la date à laquelle celui-ci cesse d'être producteur.

Made by:
Pris par :

ONTARIO FARM PRODUCTS MARKETING COMMISSION:
COMMISSION DE COMMERCIALISATION DES PRODUITS AGRICOLES DE L'ONTARIO :

DAVE HOPE
Chair
Président

GLORIA MARCO BORYS
Secretary
Secrétaire

Date made: March 9, 2005.
Pris le : 9 mars 2005.

I certify that I have approved this Regulation.
Je certifie que j'ai approuvé le présent règlement.

La ministre de l'Agriculture, de l'Alimentation et des Affaires rurales,

LEONA DOMBROWSKY
Minister of Agriculture, Food and Rural Affairs

Date approved: April 26, 2006.
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19/06

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made under the
FARM PRODUCTS MARKETING ACT

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Amending Reg. 397 of R.R.O. 1990
(Broiler Hatching Eggs and Chicks — Plan)

Note: Regulation 397 has previously been amended. Those amendments are listed in the [Table of Regulations – Legislative History Overview](#) which can be found at www.e-Laws.gov.on.ca.

1. Regulation 397 of the Revised Regulations of Ontario, 1990 is amended by adding the following French version:

OEUFS D'INCUBATION ET POUSSINS DE POULETS À GRILLER — PLAN

1. Est créé le plan figurant à l'annexe pour la régie et la réglementation de la production et commercialisation en Ontario de poussins reproducteurs, de coquelets reproducteurs, de poules reproductrices, de poulettes reproductrices, de poussins, de volailles et d'oeufs d'incubation.

2. La commission locale nommée à l'annexe est investie des pouvoirs énoncés au paragraphe 15 (1), aux dispositions 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 et 26 du paragraphe 15 (2) et aux articles 50 et 110 de la *Loi sur les sociétés coopératives*.

3. Les membres de la commission locale sont réputés en être les actionnaires et administrateurs dans l'exercice des pouvoirs visés à l'article 2.

ANNEXE
PLAN

Loi sur la commercialisation des produits agricoles

1. Le présent plan peut être appelé «Ontario Broiler Hatching Egg and Chick Marketing Plan».

2. Les définitions qui suivent s'appliquent au présent plan.

«Commission de commercialisation des oeufs et des poussins» La commission appelée «Ontario Broiler Hatching Egg and Chick Commission» établie en application de l'article 4. («Egg and Chick Commission»)

«coquelet reproducteur» Coquelet autre qu'un coquelet non utilisé en vue de l'élevage pour l'incubation d'oeufs. («breeder cockerel»)

«oeuf d'incubation» Oeuf autre qu'un oeuf ne devant pas être couvé comme poussin. («hatching egg»)

«poule reproductrice» Poule autre qu'une poule non utilisée pour la production d'oeufs d'incubation. («breeder hen»)

«poulette reproductrice» Poulette âgée de moins de 24 semaines autre qu'une poulette ne devant pas être utilisée pour la production d'oeufs d'incubation. («breeder pullet»)

«poussin» Poussin autre qu'un poussin ne devant pas être élevé comme poule au sens du Règlement 403 des Règlements refondus de l'Ontario de 1990. («chick»)

«poussin reproducteur» Poussin autre qu'un poussin ne devant pas être utilisé pour la production d'oeufs d'incubation. («breeder chick»)

«producteur de pondeuses, type poulets à griller» Producteur de poussins reproducteurs, de coquelets reproducteurs ou de poulettes reproductrices. («broiler breeder producer»)

«volaille» Poule reproductrice ou coquelet reproducteur âgé de 24 semaines ou plus. («fowl»)

3. Le présent plan prévoit la régie et la réglementation de tout ou partie des aspects de la production et commercialisation en Ontario de poussins reproducteurs, de coquelets reproducteurs, de poules reproductrices, de poulettes reproductrices, de poussins, de volailles et d'oeufs d'incubation, y compris l'interdiction totale ou partielle de pareilles production et commercialisation.

4. Est constituée une commission locale appelée «Ontario Broiler Hatching Egg and Chick Commission».
5. (1) La Commission de commercialisation des oeufs et des poussins se compose de neuf membres nommés conformément au présent article.
- (2) Au plus tard le 31 décembre de chaque année, l'Ontario Broiler Chicken Hatching Egg Producers' Association nomme quatre personnes comme membres de la Commission de commercialisation des oeufs et des poussins.
- (3) Au moins trois des quatre personnes nommées aux termes du paragraphe (2) doivent être titulaires d'un permis de producteur d'oeufs d'incubation ou dirigeants ou employés d'un tel titulaire.
- (4) La quatrième personne nommée doit être :
- a) soit titulaire d'un permis de producteur d'oeufs d'incubation ou dirigeant ou employé d'un tel titulaire;
 - b) soit titulaire d'un permis de producteur de pondeuses, type poulets à griller, ou dirigeant ou employé d'un tel titulaire.
- (5) Au plus tard le 31 décembre de chaque année, l'Ontario Hatcheries Association nomme quatre personnes comme membres de la Commission de commercialisation des oeufs et des poussins.
- (6) Les personnes nommées aux termes du paragraphe (5) doivent être titulaires d'un permis d'exploitation de couvoirs ou dirigeants ou employés d'un tel titulaire.
- (7) Les huit membres nommés aux termes des paragraphes (2) à (6) exercent leurs fonctions du 1^{er} janvier au 31 décembre de l'année suivant leur nomination.
- (8) Lors de leur première réunion suivant le 1^{er} janvier d'une année donnée, les huit membres doivent en nommer un neuvième comme président de la Commission de commercialisation des oeufs et des poussins, lequel exerce ses fonctions jusqu'au 31 décembre de l'année.
- (9) Les membres de la Commission de commercialisation des oeufs et des poussins peuvent élire un ou plusieurs vice-présidents parmi eux.
6. (1) Si un membre nommé par l'Ontario Broiler Chicken Hatching Egg Producers' Association aux termes du paragraphe 5 (2) décède, démissionne ou n'est plus disponible pour quelque raison que ce soit avant la fin de son mandat, l'association peut nommer une autre personne pour en terminer le mandat conformément aux paragraphes (2) et (3).
- (2) Si la personne qui n'est plus disponible a été nommée membre aux termes du paragraphe 5 (2) et que parmi les membres restants se trouve un titulaire de permis de producteur de pondeuses, type poulets à griller, ou un dirigeant ou employé d'un tel titulaire, l'association peut nommer un titulaire de permis de producteur d'oeufs d'incubation ou un dirigeant ou employé d'un tel titulaire pour combler la vacance.
- (3) Si la personne qui n'est plus disponible a été nommée membre aux termes du paragraphe 5 (2) et que parmi les membres restants ne se trouvent ni un titulaire de permis de producteur de pondeuses, type poulets à griller, ni un dirigeant ou employé d'un tel titulaire, l'association peut nommer pour combler la vacance :
- a) soit un titulaire de permis de producteur d'oeufs d'incubation ou un dirigeant ou employé d'un tel titulaire;
 - b) soit un titulaire de permis de producteur de pondeuses, type poulets à griller, ou un dirigeant ou employé d'un tel titulaire.
- (4) Si un membre nommé par l'Ontario Hatcheries Association aux termes du paragraphe 5 (5) décède, démissionne ou n'est plus disponible pour quelque raison que ce soit avant la fin de son mandat, l'association peut nommer une autre personne pour en terminer le mandat conformément au paragraphe 5 (6).
- (5) Si le président décède, démissionne ou n'est plus disponible pour quelque raison que ce soit avant la fin de son mandat, les membres restants de la Commission de commercialisation des oeufs et des poussins peuvent nommer une personne pour en terminer le mandat.
7. (1) Si une association ne procède à aucune nomination initiale aux termes du paragraphe 5 (2) ou (5) dans les deux semaines qui suivent la date à laquelle le droit de nomination prend naissance, la Commission de commercialisation des oeufs et des poussins procède à la nomination en appliquant les règles énoncées aux paragraphes 5 (3), (4) et (6).
- (2) Si l'Ontario Broiler Chicken Hatching Egg Producers' Association ne nomme personne pour remplacer une personne nommée initialement aux termes du paragraphe 5 (2) dans les deux semaines qui suivent la date à laquelle le droit de nomination prend naissance, la Commission de commercialisation des oeufs et des poussins comble la vacance en appliquant les règles énoncées aux paragraphes 6 (3) et (4).
- (3) Si l'Ontario Hatcheries Association ne nomme personne pour remplacer une personne nommée initialement aux termes du paragraphe 5 (5) dans les deux semaines qui suivent la date à laquelle le droit de nomination prend naissance, la Commission de commercialisation des oeufs et des poussins comble la vacance en appliquant les règles énoncées au paragraphe 5 (6).

8. Si la Commission de commercialisation des oeufs et des poussins ne procède à aucune nomination aux termes du paragraphe 5 (8) ou 6 (5) dans les deux semaines qui suivent la date à laquelle son droit de nomination prend naissance, la Commission procède à la nomination.

9. à 12.

Made by:

Pris par :

ONTARIO FARM PRODUCTS MARKETING COMMISSION:
COMMISSION DE COMMERCIALISATION DES PRODUITS AGRICOLES DE L'ONTARIO :

DAVE HOPE
Chair
Président

GLÓRIA MARCO BORYS
Secretary
Secrétaire

Date made: December 15, 2004.
Pris le : 15 décembre 2004.

I certify that I have approved this Regulation.
Je certifie que j'ai approuvé le présent règlement.

La ministre de l'Agriculture, de l'Alimentation et des Affaires rurales,

LEONA DOMBROWSKY
Minister of Agriculture, Food and Rural Affairs

Date approved: April 26, 2006.
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Amending Reg. 393 of R.R.O. 1990
(Beans — Plan)

Note: Regulation 393 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Regulation 393 of the Revised Regulations of Ontario, 1990 is amended by adding the following French version:

HARICOTS — PLAN

1. Est prorogé le plan figurant à l'annexe en vue de la régie et de la réglementation de la production et de la commercialisation des haricots en Ontario.

2. La commission locale désignée dans l'annexe est investie des pouvoirs énoncés au paragraphe 15 (1), aux dispositions 1 à 8, 10 à 19, 24 et 26 du paragraphe 15 (2) et aux articles 50 et 110 de la *Loi sur les sociétés coopératives*.

3. Les membres de la commission locale sont réputés en être les actionnaires et administrateurs dans l'exercice des pouvoirs visés à l'article 2.

ANNEXE PLAN

Loi sur la commercialisation des produits agricoles

1. Le présent plan peut être appelé «The Ontario Bean Producers' Marketing Plan».

2. Les définitions qui suivent s'appliquent au présent plan.

«haricots» Haricots ronds blancs produits en Ontario. («beans»)

«producteur» Quiconque se livre à la production de haricots. («producer»)

3. Le présent plan s'applique à la régie et à la réglementation de tout ou partie des aspects de la production et de la commercialisation des haricots en Ontario.

4. Est constituée une commission locale appelée «The Ontario Bean Producers' Marketing Board».

5. La commission locale se compose de neuf producteurs-membres. Les membres de chaque district restent en fonction jusqu'à l'élection de leurs remplaçants.

6. Les producteurs sont regroupés dans les quatre districts suivants :

1. Le district 1, qui comprend les comtés d'Essex, de Kent et de Lambton.

2. Le district 2, qui comprend les comtés d'Elgin, de Middlesex et d'Oxford.

3. Le district 3, qui comprend les comtés de Grey, de Perth et de Wellington, et la municipalité régionale de Waterloo.

4. Le district 4, qui comprend les comtés de Bruce et de Huron.

7. Est constitué dans chaque district un comité de district appelé «District Bean Producers' Committee».

8. (1) Les comités de district se composent du nombre de membres suivant :

1. Dans le district 1, quatre membres.

2. Dans le district 2, huit membres.

3. Dans le district 3, huit membres.

4. Dans le district 4, 12 membres.

(2) Le producteur d'un district territorial ou d'un comté non mentionné à l'article 6 peut, pour réaliser l'objet du plan, être réputé producteur du district le plus près de son lieu de production.

9. Au plus tard le dernier jour de février de chaque année, les producteurs de chaque district, au cours d'une réunion convoquée par la commission locale à cette fin, élisent en leur sein les membres du comité de district pour le district.

10. (1) Au plus tard le dernier jour de février de chaque année, les producteurs de chaque district élisent en leur sein les membres de la commission locale de la façon suivante :

1. Dans le district 1, un membre.

2. Dans le district 2, deux membres.

3. Dans le district 3, deux membres.

4. Dans le district 4, quatre membres.

(2) Seuls les producteurs du district peuvent être élus ou nommés à la commission locale. Ils ne doivent en aucun cas être élus pour représenter plus d'un district.

(3) Le mandat des membres élus à la commission locale, y compris ceux élus pour 1995, commence le jour suivant la réunion à laquelle ils ont été élus et se termine le jour suivant l'élection de leurs successeurs.

11. (1) Au cours de la première réunion suivant le début de leur mandat, les membres élus à la commission locale nomment les producteurs-membres nécessaires pour en compléter la composition.

(2) Lorsqu'un membre de la commission locale décède ou démissionne avant la fin de son mandat, les membres de celle-ci peuvent nommer un producteur-membre pour en terminer le mandat.

Made by:

Pris par :

ONTARIO FARM PRODUCTS MARKETING COMMISSION:
COMMISSION DE COMMERCIALISATION DES PRODUITS AGRICOLES DE L'ONTARIO :

DAVE HOPE
Chair
Président

GLORIA MARCO BORYS
Secretary
Secrétaire

Date made: December 15, 2004.
Pris le : 15 décembre 2004.

I certify that I have approved this Regulation.
Je certifie que j'ai approuvé le présent règlement.

La ministre de l'Agriculture, de l'Alimentation et des Affaires rurales,

LEONA DOMBROWSKY
Minister of Agriculture, Food and Rural Affairs

Date approved: April 26, 2006.
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19/06

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Amending Reg. 391 of R.R.O. 1990
(Asparagus — Plan)

Note: Regulation 391 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Regulation 391 of the Revised Regulations of Ontario, 1990 is amended by adding the following French version:

ASPERGES — PLAN

1. Est prorogé le plan figurant à l'annexe en vue de la régie et de la réglementation de la production et de la commercialisation d'asperges en Ontario.

2. La commission locale nommée à l'annexe est investie des pouvoirs énoncés au paragraphe 15 (1), aux dispositions 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 et 26 du paragraphe 15 (2) et aux articles 50 et 110 de la *Loi sur les sociétés coopératives*.

3. Les membres de la commission locale sont réputés en être les actionnaires et administrateurs dans l'exercice des pouvoirs prévus à l'article 2.

ANNEXE PLAN

Loi sur la commercialisation des produits agricoles

1. Le présent plan peut être appelé «The Ontario Asparagus Growers' Marketing Plan».

2. Les définitions qui suivent s'appliquent au présent plan.

«asperges» Asperges produites en Ontario. («asparagus»)

«asperges fraîches» Asperges, à l'exception de celles qu'utilise un transformateur aux fins de transformation. («fresh asparagus»)

«producteur» Personne qui, le 1^{er} mai de l'année, est propriétaire bénéficiaire d'une propriété sur laquelle sont cultivés au moins deux acres d'asperges. («producer»)

«transformateur» Quiconque se livre à la transformation des asperges. («processor»)

«transformation» La mise en conserve, la déshydratation, le séchage, la congélation ou la transformation avec du sucre ou un produit chimique, notamment du dioxyde de soufre. («processing»)

3. (1) Le présent règlement prévoit la régie et la réglementation de tout ou partie des aspects de la production et de la commercialisation des asperges en Ontario, y compris l'interdiction totale ou partielle de pareilles production et commercialisation.

(2) La personne qui est un producteur au cours d'une année a, cette année-là, qualité d'électeur pour l'élection des membres de la commission locale ou du comité de district ou peut y être élue ou nommée membre en vertu des articles 8, 9 et 10.

(3) Le producteur qui loue une propriété à un locataire le 1^{er} mai d'une année peut, par écrit, lui céder ses privilèges relatifs au droit de vote et à sa qualité de membre pour cette année-là, auquel cas le locataire est réputé le producteur.

(4) Si le producteur à l'égard d'une propriété est une personne morale, la personne que désigne celle-ci par écrit à l'égard de cette propriété est réputée le producteur.

(5) Si le producteur à l'égard d'une propriété est une entreprise ou une société de personnes se composant d'une ou de plusieurs personnes se livrant à la production et à la commercialisation sous une désignation, notamment une appellation commerciale ou un nom d'exploitation agricole, la personne que désignent par écrit à l'égard de cette propriété le ou les propriétaires est réputée le producteur.

(6) Si le producteur à l'égard d'une propriété est une entité constituée d'au moins deux propriétaires conjoints, le premier propriétaire conjoint à se présenter pour inscrire le vote à l'égard de cette propriété est réputé le producteur.

4. Est constituée une commission locale appelée «Commission ontarienne de commercialisation des asperges».

5. La commission locale se compose de neuf producteurs-membres.

6. Les producteurs sont regroupés dans les cinq districts suivants :

1. Le district 1, qui comprend les comtés d'Essex, de Kent, de Lambton et de Middlesex et la partie du comté de Huron se situant au sud de la route principale n° 83.
2. Le district 2, qui comprend les comtés d'Elgin, d'Oxford et de Perth, la municipalité régionale de Waterloo et la partie de la municipalité régionale de Haldimand-Norfolk se situant au sud de la route principale n° 3.
3. Le district 3, qui comprend les comtés de Bruce, de Dufferin, de Grey, de Wellington et de Simcoe, la partie du comté de Huron se situant au nord de la route principale n° 83 et les municipalités régionales de Peel et de York.
4. Le district 4, qui comprend les régions de l'Ontario qui ne font pas partie des districts 1, 2, 3 et 5.
5. Le district 5, qui comprend le comté de Brant, les municipalités régionales de Halton, de Hamilton-Wentworth et de Niagara et la partie de la municipalité régionale de Haldimand-Norfolk se situant au nord de la route principale n° 3.

7. Est constitué dans chaque district un comité de district appelé «District Asparagus Growers' Committee».

8. (1) Au plus tard le 15 décembre 1995 et de chaque année subséquente, les producteurs de chaque district mentionné à la colonne 1 du tableau élisent pour le district au comité de district, parmi les producteurs du district, le nombre de membres mentionné en regard à la colonne 2.

TABLEAU

| District | Nombre de membres |
|----------|-------------------|
| 1 | 4 |
| 2 | 5 |
| 3 | 3 |
| 4 | 3 |
| 5 | 5 |

(2) Seules les personnes résidant dans le district visé sont éligibles au comité de district.

9. (1) Au plus tard le 31 décembre de chaque année, chaque comité de district élit à la commission locale, parmi les producteurs de chacun des districts mentionnés à la colonne 1 du tableau, le nombre de membres mentionné en regard à la colonne 2.

TABLEAU

| District | Nombre de membres |
|----------|-------------------|
| 1 | 2 |
| 2 | 2 |
| 3 | 2 |
| 4 | 1 |
| 5 | 2 |

(2) Seules les personnes résidant dans le district visé sont éligibles à la commission locale.

(3) Lorsque, au cours d'une année, un comité de district omet d'élire un ou plusieurs membres à la commission locale conformément au paragraphe (1), les membres de tous les comités de district peuvent, au plus tard le 31 décembre de cette année-là, élire le ou les membres de ce district à la commission locale.

10. (1) Au cours de la première réunion suivant le 31 décembre, les membres élus à la commission locale nomment les producteurs-membres nécessaires pour en compléter la composition.

(2) Lorsqu'un membre élu ou nommé à la commission locale décède ou démissionne avant le 31 décembre de l'année suivant la date de son élection ou de sa nomination, les membres de la commission locale peuvent nommer un producteur-membre pour en terminer le mandat.

(3) Le producteur-membre nommé membre de la commission locale aux termes du paragraphe (1) ou (2) doit être producteur dans le district pour lequel il est nommé.

11. Le mandat des membres du comité de district ou de la commission locale se termine lors de l'élection ou de la nomination de leurs remplaçants.

Made by:
Pris par :

ONTARIO FARM PRODUCTS MARKETING COMMISSION:
COMMISSION DE COMMERCIALISATION DES PRODUITS AGRICOLES DE L'ONTARIO :

DAVE HOPE
Chair
Président

GLORIA MARCO BORYS
Secretary
Secrétaire

Date made: December 15, 2004.
Pris le : 15 décembre 2004.

I certify that I have approved this Regulation.
Je certifie que j'ai approuvé le présent règlement.

La ministre de l'Agriculture, de l'Alimentation et des Affaires rurales,

LEONA DOMBROWSKY
Minister of Agriculture, Food and Rural Affairs

Date approved: April 26, 2006.
Approuvé le : 26 avril 2006.

19/06

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made under the
FARM PRODUCTS MARKETING ACT

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Amending Reg. 443 of R.R.O. 1990
(Wheat — Plan)

Note: Regulation 443 has previously been amended. Those amendments are listed in the [Table of Regulations – Legislative History Overview](#) which can be found at www.e-Laws.gov.on.ca.

1. Regulation 443 of the Revised Regulations of Ontario, 1990 is amended by adding the following French version:

BLÉ — PLAN

1. Est prorogé le plan figurant à l'annexe pour la régie et la réglementation de la commercialisation du blé en Ontario.
2. La commission locale nommée à l'annexe est investie des pouvoirs énoncés au paragraphe 15 (1), aux dispositions 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 et 26 du paragraphe 15 (2) et aux articles 50 et 110 de la *Loi sur les sociétés coopératives*.
3. Les membres de la commission locale nommés à l'annexe sont réputés en être les actionnaires et administrateurs dans l'exercice des pouvoirs visés à l'article 2.

**ANNEXE
PLAN**

Loi sur la commercialisation des produits agricoles

1. Le présent plan peut être appelé «The Ontario Wheat Producers' Marketing Plan».
2. Les définitions qui suivent s'appliquent au présent plan.
«blé» Toutes les variétés de blé produites en Ontario. («wheat»)
«producteur» Quiconque se livre à la production de blé. («producer»)
3. Le présent plan prévoit la régie et la réglementation de tout ou partie des aspects de la commercialisation du blé en Ontario, y compris l'interdiction totale ou partielle de pareille commercialisation.

4. (1) Aux fins de l'élection de représentants de producteurs à la commission locale ou au comité de district aux termes des articles 10 à 12, ou afin d'être habiles à en être membre, un producteur est le propriétaire bénéficiaire ou le locataire d'une exploitation agricole s'il a, selon le cas :

- a) semé du blé sur l'exploitation agricole l'année précédant celle à l'égard de laquelle la capacité visée aux articles 10 à 12 est en cause;
- b) commercialisé, par l'entremise de la commission locale, du blé produit sur l'exploitation agricole au cours d'au moins une des deux années précédant celle à l'égard de laquelle la capacité visée aux articles 10 à 12 est en cause.

(2) Est réputée être le producteur l'une ou l'autre des personnes suivantes :

- a) si le producteur est une personne morale, la personne, le cas échéant, désignée par écrit à l'égard de l'exploitation agricole par la personne morale qui est producteur selon le paragraphe (1);
- b) si le producteur est une entreprise ou une société de personnes ou une ou plusieurs personnes se livrant à la production et à la commercialisation sous une désignation, notamment une appellation commerciale ou un nom d'exploitation agricole, la personne, le cas échéant, désignée par écrit à l'égard de l'exploitation agricole par le propriétaire ou le locataire qui est producteur selon le paragraphe (1);
- c) si le producteur est une entité constituée d'au moins deux propriétaires ou locataires conjoints ou communs, le premier propriétaire ou locataire à se présenter pour inscrire le vote à l'égard de l'exploitation agricole.

5. Est constituée une commission locale appelée «The Ontario Wheat Producers' Marketing Board».

6. La commission locale se compose de 10 producteurs-membres élus ou nommés conformément aux articles 11 et 12.

7. Les producteurs sont regroupés dans les 10 districts suivants :

- 1. Le district 1, qui comprend le comté d'Essex.
- 2. Le district 2, qui comprend le comté de Kent.
- 3. Le district 3, qui comprend le comté de Lambton.
- 4. Le district 4, qui comprend les comtés d'Elgin et de Middlesex.
- 5. Le district 5, qui comprend les comtés de Brant, d'Oxford, de Perth et de Wellington et la municipalité régionale de Waterloo.
- 6. Le district 6, qui comprend les municipalités régionales de Haldimand-Norfolk, de Halton, de Hamilton-Wentworth et de Niagara.
- 7. Le district 7, qui comprend les comtés de Bruce, de Grey et de Huron.
- 8. Le district 8, qui comprend les comtés de Dufferin et de Simcoe et les municipalités régionales de Durham, de Peel et de York.
- 9. Le district 9, qui comprend les comtés de Hastings, de Lennox et Addington, de Northumberland, de Peterborough, de Prince Edward et de Victoria.
- 10. Le district 10, qui comprend les régions de l'Ontario qui ne font pas partie des districts 1 à 9.

8. (1) Sous réserve du paragraphe (2), les producteurs de chaque comté, comté provisoire, municipalité régionale et district territorial qui compte au moins 10 producteurs forment un groupe de comté.

(2) Pour former un groupe de 10 producteurs, deux groupes de comté ou plus du même district peuvent fusionner en donnant avis de leur fusion à la commission locale au plus tard le 31 octobre de l'année précédant celle au cours de laquelle le groupe de comté fusionné élit le nombre alloué de représentants au sein du comité de district.

9. Est constitué dans chaque district un comité de district appelé «The District Wheat Producers' Committee».

10. (1) Le comité de district compte collectivement au moins 85 représentants.

(2) Au plus tard le 31 décembre de chaque année, la commission locale calcule le nombre de représentants siégeant au comité de district à allouer à chaque groupe de comté.

(3) À chaque groupe de comté est alloué le nombre de représentants siégeant à son propre comité de district, arrondi au chiffre supérieur. Le nombre correspond au produit de 85 et du total de ce qui suit :

- a) 60 pour cent du rapport entre le nombre de producteurs inscrits à la commission locale pour le comté le 30 novembre précédent et le nombre total de producteurs inscrits à la commission locale ce jour-là;
- b) 40 pour cent du rapport entre la quantité de blé commercialisée à partir du comté au cours de la période de 12 mois se terminant le 30 novembre précédent et la quantité totale de blé commercialisée à partir de tous les districts au cours de cette période.

(4) Les calculs doivent être fondés sur des moyennes établies sur sept années consécutives de données, y compris celles pour l'année de récolte précédente, les données pour les années de haut et de faible rendement étant exclues.

ÉLECTION DE MEMBRES AUX COMMISSIONS LOCALES

11. (1) Au plus tard le 15 mars de chaque année, chaque comité de district peut élire un membre à la commission locale parmi les producteurs du district.

(2) Seuls les producteurs, selon l'article 4, du district peuvent être élus à la commission locale ou au comité de district. Une personne ne doit en aucun cas être élue pour représenter plus d'un district ni être élue si elle a moins de 18 ans.

(3) Au plus tard le 31 mars de chaque année, les membres de tous les comités de district peuvent élire à la commission locale le membre de tout district où une élection pour ce district n'a pas eu lieu en vertu du paragraphe (1).

12. (1) Au cours de la première réunion suivant le 31 mars, les membres élus à la commission locale nomment les producteurs-membres nécessaires pour en compléter la composition.

(2) Lorsqu'un membre élu ou nommé à la commission locale décède ou démissionne avant le 31 mars de l'année suivant la date de son élection ou de sa nomination, les membres de celle-ci peuvent nommer un producteur-membre pour en terminer le mandat.

(3) Le producteur-membre nommé membre de la commission locale aux termes du paragraphe (1) ou (2) doit être producteur dans le district pour lequel il est nommé.

(4) Chaque producteur-membre de la commission locale y est élu ou nommé pour siéger jusqu'au 31 mars de l'année qui suit son élection ou sa nomination.

Made by:
Pris par :

ONTARIO FARM PRODUCTS MARKETING COMMISSION:
COMMISSION DE COMMERCIALISATION DES PRODUITS AGRICOLES DE L'ONTARIO :

DAVE HOPE
Chair
Président

GLORIA MARCO BORYS
Secretary
Secrétaire

Date made: December 15, 2004.
Pris le : 15 décembre 2004.

I certify that I have approved this Regulation.
Je certifie que j'ai approuvé le présent règlement.

La ministre de l'Agriculture, de l'Alimentation et des Affaires rurales,

LEONA DOMBROWSKY
Minister of Agriculture, Food and Rural Affairs

Date approved: April 26, 2006.
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FARM PRODUCTS MARKETING ACT

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Amending Reg. 425 of R.R.O. 1990
(Processing Tomato Seedling Plants — Plan)

Note: Regulation 425 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Regulation 425 of the Revised Regulations of Ontario, 1990 is amended by adding the following French version:

SEMIS DE TOMATE DE TRANSFORMATION — PLAN

1. Est prorogé le plan figurant à l'annexe pour la régie et la réglementation de la commercialisation des semis de tomate en Ontario.

2. La commission locale nommée à l'annexe est investie des pouvoirs énoncés au paragraphe 15 (1), aux dispositions 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 et 26 du paragraphe 15 (2) et aux articles 50 et 110 de la *Loi sur les sociétés coopératives*.

3. Les membres de la commission locale sont réputés en être les actionnaires et administrateurs dans l'exercice des pouvoirs visés à l'article 2.

ANNEXE
PLAN

Loi sur la commercialisation des produits agricoles

1. Le présent plan peut être appelé «Ontario Tomato Seedling Growers' Marketing Plan».

2. Les définitions qui suivent s'appliquent au présent plan.

«producteur» Quiconque se livre à la production de semis de tomate. («producer»)

«semis de tomate» Semis de tomate produits en Ontario pour la production de tomates de transformation. («tomato seedlings»)

«transformation» S'entend au sens de l'article 2 du plan appelé «The Ontario Vegetable Growers' Marketing-for-Processing Plan». («processing»)

3. Le présent plan s'applique à la régie et la réglementation de tout ou partie des aspects de la commercialisation des semis de tomate en Ontario, y compris l'interdiction totale ou partielle de pareille commercialisation.

4. Est constituée une commission locale appelée «Ontario Tomato Seedling Growers' Marketing Board».

5. La commission locale se compose de cinq producteurs-membres.

6. Avant la fin de novembre de chaque année, la commission locale tient une réunion à laquelle peuvent assister tous les producteurs de l'année dont le nom figure dans ses dossiers.

7. À la réunion visée à l'article 6, les producteurs présents élisent des producteurs comme membres de la commission locale de la manière suivante :

1. Un producteur est élu membre et président de la commission locale.

2. Un producteur est élu membre et vice-président de la commission locale.

3. Trois producteurs sont élus membres et administrateurs de la commission locale.

8. Les producteurs élus en application de l'article 7 entrent en fonction dès la fin de la réunion visée à l'article 6.

9. (1) Lorsque les producteurs n'élisent pas de membres à la commission locale, les membres déjà élus à celle-ci nomment aussitôt que possible par la suite les producteurs-membres nécessaires pour compléter la commission locale.

(2) Lorsqu'un membre élu ou nommé à la commission locale décède, démissionne ou n'est plus disponible pour exercer ses fonctions avant le dernier mardi d'octobre de l'année suivant la date de son élection ou de sa nomination, les membres de la commission locale peuvent nommer un producteur-membre pour en terminer le mandat.

Made by:
Pris par :

ONTARIO FARM PRODUCTS MARKETING COMMISSION:
COMMISSION DE COMMERCIALISATION DES PRODUITS AGRICOLES DE L'ONTARIO :

DAVE HOPE
Chair
Président

GLORIA MARCO BORYS
Secretary
Secrétaire

Date made: December 15, 2004.
Pris le : 15 décembre 2004.

I certify that I have approved this Regulation.
Je certifie que j'ai approuvé le présent règlement.

La ministre de l'Agriculture, de l'Alimentation et des Affaires rurales,

LEONA DOMBROWSKY
Minister of Agriculture, Food and Rural Affairs

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Amending Reg. 413 of R.R.O. 1990
(Potatoes — Plan)

Note: Regulation 413 has previously been amended. Those amendments are listed in the Table of Regulations — Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Regulation 413 the Revised Regulations of Ontario, 1990 is amended by adding the following French version:

POMMES DE TERRE — PLAN

1. Est prorogé le plan figurant à l'annexe pour la régie et la réglementation de la commercialisation des pommes de terre en Ontario.

2. La commission locale nommée dans l'annexe est investie des pouvoirs énoncés au paragraphe 15 (1) et aux articles 50 et 110 de la *Loi sur les sociétés coopératives* et du pouvoir d'accepter des pouvoirs et des droits extraprovinciaux énoncé au paragraphe 15 (4) de cette loi.

3. Les membres de la commission locale sont réputés en être les actionnaires et administrateurs dans l'exercice des pouvoirs visés à l'article 2.

ANNEXE PLAN

Loi sur la commercialisation des produits agricoles

1. Le présent plan peut être appelé «The Ontario Potato Plan».

2. Les définitions qui suivent s'appliquent au présent plan.

«pommes de terre» Pommes de terre produites en Ontario. («potatoes»)

«pommes de terre de consommation immédiate» Pommes de terre produites en Ontario qui ne sont pas utilisées par un transformateur en vue de leur transformation ni vendues comme semences certifiées. («fresh potatoes»)

«pommes de terre de transformation» Pommes de terre produites en Ontario qu'utilise un transformateur en vue de leur transformation. («processing potatoes»)

«producteur» Quiconque se livre à la production de pommes de terre. («producer»)

«producteur de pommes de terre de consommation immédiate» Quiconque se livre à la production de pommes de terre de consommation immédiate. («fresh potato producer»)

«producteur de pommes de terre de transformation» Quiconque se livre à la production de pommes de terre de transformation. («processing potato producer»)

«transformation» S'entend :

- a) soit de la mise en conserve, de la déshydratation, de la production de croustilles, du séchage, de la congélation ou de la transformation avec un produit chimique ou par chaleur et la combinaison ou le mélange des pommes de terre avec au moins un autre légume;
- b) soit de la conclusion d'un contrat d'achat de pommes de terre dans le but de les soumettre à une des opérations prévues à l'alinéa a). («processing»)

3. Le présent plan prévoit la régie et la réglementation de tout ou partie des aspects de la production et de la commercialisation des pommes de terre en Ontario, y compris l'interdiction totale ou partielle de pareille commercialisation.

4. La commission locale appelée «Fresh Potato Growers of Ontario» est prorogée sous le nom de «The Ontario Potato Board».

5. (1) La commission locale se compose de six membres qui sont tous producteurs.

(2) Les membres de la commission locale sont élus ou nommés conformément au présent plan et exercent leur mandat jusqu'à la nomination ou l'élection de leurs successeurs.

6. Les producteurs sont répartis entre les sept districts suivants :

- 1. Le district 1, qui comprend les comtés d'Essex et de Kent.
- 2. Le district 2, qui comprend les comtés d'Elgin, de Huron, de Lambton, de Middlesex et de Perth.
- 3. Le district 3, qui comprend les comtés de Brant et d'Oxford et les municipalités régionales de Haldimand-Norfolk, de Hamilton-Wentworth et de Niagara.
- 4. Le district 4, qui comprend les comtés de Bruce, de Dufferin, de Grey et de Wellington et les municipalités régionales de Halton, de Peel et de Waterloo.
- 5. Le district 5, qui comprend le comté de Simcoe et la municipalité régionale de York.
- 6. Le district 6, qui comprend les comtés de Dundas, de Frontenac, de Glengarry, de Grenville, de Haliburton, de Hastings, de Lanark, de Leeds, de Lennox et Addington, de Northumberland, de Peterborough, de Prescott, de Prince Edward, de Renfrew, de Russell, de Stormont et de Victoria, le district territorial de Parry Sound, la municipalité de district de Muskoka et les municipalités régionales de Durham et d'Ottawa-Carleton.

7. Le district 7, qui comprend les districts territoriaux d'Algoma, de Cochrane, de Kenora, de Manitoulin, de Nipissing, de Rainy River, de Sudbury, de Thunder Bay et de Timiskaming.

7. (1) Sous réserve du paragraphe (2), les producteurs de chaque district mentionné à l'article 6 forment un comité de district appelé «district potato growers' committee».

(2) Les producteurs de pommes de terre de transformation des districts 6 et 7 ne font pas partie du comité de district de leur propre district, mais sont réputés membres du comité de district du district 5.

8. Quiconque est producteur dans plus d'un district est réputé membre du comité de district pour le district où il réside.

9. (1) Au plus tard le 15 décembre de chaque année, les membres de chaque comité de district élisent des conseillers conformément au présent article et au tableau suivant :

TABLEAU

| Colonne 1 | Colonne 2 | Colonne 3 |
|-----------|---|-----------------------------------|
| District | Pommes de terre de consommation immédiate | Pommes de terre de transformation |
| 1 | un conseiller | un conseiller |
| 2 | un conseiller | un conseiller |
| 3 | un conseiller | un conseiller |
| 4 | un conseiller | deux conseillers |
| 5 | trois conseillers | trois conseillers |
| 6 | un conseiller | aucun conseiller |
| 7 | un conseiller | aucun conseiller |

(2) Les membres de chaque comité de district qui sont producteurs de pommes de terre de consommation immédiate élisent parmi eux le nombre de conseillers énoncé à la colonne 2 du tableau.

(3) Les membres de chaque comité de district qui sont producteurs de pommes de terre de transformation élisent parmi eux le nombre de conseillers énoncé à la colonne 3 du tableau.

(4) Les conseillers élus aux termes du paragraphe (2) constituent le conseil appelé «Fresh Council» et ceux élus aux termes du paragraphe (3) constituent le conseil appelé «Processing Council».

(5) Le producteur qui produit moins de cinq acres de pommes de terre de consommation immédiate ne doit pas voter à l'élection de conseillers au «Fresh Council» ni exercer un mandat à titre de conseiller de ce conseil ou de membre de la commission locale.

(6) Nul ne peut être élu au «Fresh Council» ou au «Processing Council» d'un district à moins d'être membre du comité de district pour ce district.

10. (1) Au plus tard le 15 décembre de chaque année, les membres du «Fresh Council» élisent parmi eux un président et deux vice-présidents du conseil.

(2) Au plus tard le 15 décembre de chaque année, les membres du «Processing Council» élisent parmi eux un président et deux vice-présidents du conseil.

(3) Les personnes élues aux termes des paragraphes (1) et (2) sont les membres de la commission locale.

11. Le mandat des conseillers et des membres de la commission locale expire le 15 décembre de l'année suivant la date de leur élection, ou de leur nomination aux termes de l'article 13.

12. (1) Lorsque, au cours d'une année donnée, les conseillers du «Fresh Council» n'élisent pas un ou plusieurs membres à la commission locale conformément à l'article 11, les membres de la commission locale nomment, au cours de leur première réunion suivant le 15 décembre de cette année-là, le nombre de membres de ce conseil qui sont nécessaires pour compléter la commission locale.

(2) Lorsque, au cours d'une année donnée, les conseillers du «Processing Council» n'élisent pas un ou plusieurs membres à la commission locale conformément à l'article 11, les membres de la commission locale nomment, au cours de leur première réunion suivant le 15 décembre de cette année-là, le nombre de membres de ce conseil qui sont nécessaires pour compléter la commission locale.

13. (1) Lorsqu'un membre de la commission locale qui représente le «Fresh Council» meurt, démissionne ou cesse pour une autre raison d'en être membre avant le 15 décembre de l'année suivant la date de son élection ou de sa nomination, les conseillers de ce conseil peuvent, dans les 14 jours, nommer parmi eux un remplaçant pour en terminer le mandat.

(2) Lorsqu'un membre de la commission locale qui représente le «Processing Council» meurt, démissionne ou cesse pour une autre raison d'en être membre avant le 15 décembre de l'année suivant la date de son élection ou de sa nomination, les conseillers de ce conseil peuvent, dans les 14 jours, nommer parmi eux un remplaçant pour en terminer le mandat.

(3) Si aucune nomination n'est faite en vertu des paragraphes (1) et (2), la commission locale nomme un membre du «Fresh Council» ou du «Processing Council», selon le cas, pour terminer le mandat.

Made by:
Pris par :

ONTARIO FARM PRODUCTS MARKETING COMMISSION:
COMMISSION DE COMMERCIALISATION DES PRODUITS AGRICOLES DE L'ONTARIO :

DAVE HOPE
Chair
Président

GLORIA MARCO BORYS
Secretary
Secrétaire

Date made: March 9, 2005.
Pris le : 9 mars 2005.

I certify that I have approved this Regulation.
Je certifie que j'ai approuvé le présent règlement.

La ministre de l'Agriculture, de l'Alimentation et des Affaires rurales,

LEONA DOMBROWSKY
Minister of Agriculture, Food and Rural Affairs

Date approved: April 26, 2006.
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Amending Reg. 411 of R.R.O. 1990
(Fresh Grapes — Plan)

Note: Regulation 411 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Regulation 411 of the Revised Regulations of Ontario, 1990 is amended by adding the following French version:

RAISIN FRAIS — PLAN

1. Est prorogé le plan figurant à l'annexe en vue de la régie et de la réglementation de la commercialisation du raisin frais en Ontario.

2. La commission locale nommée à l'annexe est investie des pouvoirs prévus aux dispositions suivantes de la *Loi sur les sociétés coopératives* :

1. Le paragraphe 15 (1) (Pouvoirs des coopératives).
2. Le paragraphe 15 (4), mais uniquement à l'égard du pouvoir d'accepter des droits et pouvoirs extra provinciaux.
3. L'article 50 (Pouvoirs d'emprunt).
4. L'article 110 (Indemnisation des administrateurs et des dirigeants).

3. Les membres de la commission locale sont réputés en être les actionnaires et administrateurs dans l'exercice des pouvoirs prévus à l'article 2.

ANNEXE PLAN

Loi sur la commercialisation des produits agricoles

1. Le présent plan peut être appelé «The Ontario Fresh Grape Growers' Marketing Plan».

2. Les définitions qui suivent s'appliquent au présent plan.

«jus de vendange tardive» Jus que produit en Ontario un producteur de raisin à partir de raisin de vendange tardive qu'il y cultive et qui sert à la transformation en vin de glace, en vin de vendange tardive ou en d'autres vins, boissons spiritueuses, produits du raisin ou jus. («late harvest juice»)

«producteur» Quiconque se livre à la production de raisin frais. («producer»)

«raisin frais» Le raisin produit en Ontario, à l'exception du raisin suivant :

- a) celui qu'utilise un transformateur à des fins de transformation;
- b) celui qui sert à produire du jus de vendange tardive. («fresh grapes»)

«transformateur» Quiconque se livre à la transformation du raisin ou du jus de vendange tardive. («processor»)

«transformation» S'entend des activités suivantes :

- a) relativement au raisin, la fabrication de produits du raisin ou de jus, de boissons spiritueuses ou de vin à partir de raisin et, notamment, l'embouteillage, la distillation, la fermentation ou la transformation avec du sucre, du dioxyde de soufre ou tout autre produit chimique, à l'exclusion toutefois de la production de jus de vendange tardive;
- b) relativement au jus de vendange tardive, la fabrication de vin de glace, de vin de vendange tardive ou d'autres vins, boissons spiritueuses, produits du raisin ou jus à partir de jus de vendange tardive et, notamment, l'embouteillage, la distillation, la fermentation ou la transformation avec du sucre, du dioxyde de soufre ou tout autre produit chimique, à l'exclusion toutefois de la production de jus de vendange tardive. («processing»)

3. Le présent plan prévoit la régie et la réglementation de tout ou partie des aspects de la commercialisation du raisin frais en Ontario, y compris l'interdiction totale ou partielle de pareille commercialisation.

4. Est constituée une commission locale appelée «The Ontario Fresh Grape Growers' Marketing Board».

5. La commission locale se compose de sept producteurs-membres.

6. Les producteurs sont regroupés dans les six districts suivants :

1. Le district 1, qui comprend la cité de Niagara Falls, la cité de Welland, la ville de Pelham et les régions de l'Ontario qui ne font pas partie des districts 2 à 6.
2. Le district 2, qui comprend la ville de Niagara-on-the-lake.
3. Le district 3, qui comprend la cité de St. Catharines.
4. Le district 4, qui comprend la partie de la ville de Lincoln se situant à l'est du chemin numéro 24 dans la municipalité régionale de Niagara.
5. Le district 5, qui comprend la partie de la ville de Lincoln se situant à l'ouest du chemin numéro 24 dans la municipalité régionale de Niagara.

6. Le district 6, qui comprend la ville de Grimsby, le canton de West Lincoln et la municipalité régionale de Hamilton-Wentworth.
7. (1) Les producteurs de chacun des districts désignés à l'article 6 forment un groupe de district.
(2) Le producteur d'une municipalité qui ne fait pas partie d'un district visé au paragraphe (1) peut devenir membre du groupe de district de producteurs le plus près de son lieu de production.
8. Est constitué dans chaque district un comité de district appelé «District Fresh Grape Growers' Committee».
9. Au plus tard le 15 mars de chaque année, les producteurs de chaque district élisent parmi eux des représentants à leur comité de district à raison d'un représentant par groupe de 30 producteurs ou fraction de ce nombre pour le district.
10. (1) Au plus tard le 15 avril de chaque année, chaque comité de district peut élire un membre à la commission locale parmi les producteurs du district. Toutefois, le comité du district 2 peut élire deux membres.
(2) Seules les personnes résidant dans un district donné peuvent être élues à la commission locale pour représenter leur district.
(3) Lorsque, au cours d'une année donnée, le comité de district n'élit pas de membre à la commission locale comme le permet le paragraphe (1), les membres de tous les comités de district peuvent, au plus tard le 30 avril de cette année-là, y élire un membre de n'importe quel district.
11. (1) Au cours de leur première réunion suivant le 30 avril, les membres élus à la commission locale nomment le nombre de producteurs-membres nécessaire pour en compléter la composition.
(2) En cas de décès ou de démission d'un membre élu ou nommé à la commission locale avant le 30 avril de l'année suivant celle de son élection ou de sa nomination, les membres de la commission locale peuvent nommer un producteur-membre pour en terminer le mandat.
(3) Les producteurs-membres nommés à la commission locale aux termes du paragraphe (1) ou (2) sont producteurs dans le district pour lequel ils sont nommés.
(4) Lorsque les membres de la commission locale ne nomment personne pour terminer le mandat d'un membre en vertu du paragraphe (2) dans les sept jours de son décès ou de sa démission, la Commission peut elle-même nommer un remplaçant.

Made by:
Pris par :

ONTARIO FARM PRODUCTS MARKETING COMMISSION:
COMMISSION DE COMMERCIALISATION DES PRODUITS AGRICOLES DE L'ONTARIO :

DAVE HOPE
Chair
Président

GLORIA MARCO BORYS
Secretary
Secrétaire

Date made: September 14, 2005.
Pris le : 14 septembre 2005.

I certify that I have approved this Regulation.
Je certifie que j'ai approuvé le présent règlement.

La ministre de l'Agriculture, de l'Alimentation et des Affaires rurales,

LEONA DOMBROWSKY
Minister of Agriculture, Food and Rural Affairs

Date approved: April 26, 2006.
Approuvé le : 26 avril 2006.

ONTARIO REGULATION 142/06

made under the

FARM PRODUCTS MARKETING ACT

Made: September 14, 2005

Approved: April 26, 2006

Filed: April 27, 2006

Published on e-Laws: May 1, 2006

Printed in *The Ontario Gazette*: May 13, 2006

Amending Reg. 409 of R.R.O. 1990

(Eggs — Plan)

Note: Regulation 409 has previously been amended. Those amendments are listed in the [Table of Regulations — Legislative History Overview](#) which can be found at www.e-Laws.gov.on.ca.

1. Regulation 409 of the Revised Regulations of Ontario, 1990 is amended by adding the following French version:

OEUFS — PLAN

1. Est prorogé le plan figurant à l'annexe en vue de la régie et de la réglementation de la commercialisation des poussins pour la mise en place, des oeufs, des oeufs d'incubation et des poules adultes en Ontario.

2. La commission locale nommée à l'annexe est investie des pouvoirs énoncés au paragraphe 15 (1), aux dispositions 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 et 26 du paragraphe 15 (2) et aux articles 50 et 110 de la *Loi sur les sociétés coopératives*.

3. Les membres de la commission locale sont réputés en être les actionnaires et administrateurs dans l'exercice des pouvoirs prévus à l'article 2.

ANNEXE PLAN

Loi sur la commercialisation des produits agricoles

1. Le présent plan peut être appelé «Ontario Egg Producers' Plan».

2. Les définitions qui suivent s'appliquent au présent plan.

«oeufs» Oeufs de poule domestique produits en Ontario, à l'exclusion des oeufs d'incubation. («eggs»)

«oeufs d'incubation» Oeufs de poule domestique produits en Ontario et destinés à la reproduction, mais non à l'élevage de poulets à griller ou à rôtir. («hatching eggs»)

«poule adulte» Poule domestique de plus de 20 semaines. («fowl»)

«poussins pour la mise en place» ou «poulettes» Poules de 20 semaines ou moins ou toute catégorie de celles-ci. («chicks-for-placement», «pullets»)

«producteur» Quiconque se livre à la production de poussins pour la mise en place, d'oeufs, d'oeufs d'incubation ou de poules adultes. («producer»)

«producteur de poulettes indépendant» Titulaire d'un contingent relatif à la production de poulettes, mais non d'oeufs, qui n'exerce pas d'activités dans un couvoir ou ne se livre pas à la production de poulettes reproductrices. («independent pullet producer»)

3. Le présent plan prévoit la régie et la réglementation de tout ou partie des aspects de la production et de la commercialisation de poussins pour la mise en place, d'oeufs, d'oeufs d'incubation et de poules adultes en Ontario, y compris l'interdiction totale ou partielle de pareilles production et commercialisation.

4. La commission locale, comme sous le nom de «Ontario Egg Producers» est prorogée sous le nom de «Egg Farmers of Ontario».

5. (1) La commission locale se compose de 11 membres dont 10 sont élus par les conseillers de l'industrie des oeufs et un par les conseillers de l'industrie des poulettes.

(2) Les membres occupent leur poste du 1^{er} avril de l'année où ils sont élus jusqu'à l'entrée en fonction de leurs successeurs.

(3)

6. (1) Les producteurs sont regroupés dans les 10 secteurs suivants :

1. Le secteur 1, qui comprend les comtés d'Essex, de Kent et de Lambton.
2. Le secteur 2, qui comprend le comté de Middlesex.
3. Le secteur 3, qui comprend les comtés d'Elgin et d'Oxford, ainsi que la partie de la municipalité régionale de Haldimand-Norfolk qui, au 31 mars 1974, correspondait au comté de Norfolk.
4. Le secteur 4, qui comprend le comté de Brant, les municipalités régionales de Hamilton-Wentworth et de Niagara, ainsi que la partie de la municipalité régionale de Haldimand-Norfolk qui, au 31 mars 1974, correspondait au comté de Haldimand.
5. Le secteur 5, qui comprend le comté de Huron.
6. Le secteur 6, qui comprend le comté de Perth, les cantons de Wellesley et de Wilmot dans la municipalité régionale de Waterloo, les cantons de North Dumfries et de Woolwich et la cité de Waterloo dans la municipalité régionale de Waterloo.
7. Le secteur 7, qui comprend les comtés de Bruce, de Dufferin, de Grey et de Wellington.
8. Le secteur 8, qui comprend les municipalités régionales de Halton et de Peel, les comtés de Haliburton, de Hastings, de Northumberland, de Peterborough, de Prince Edward, de Simcoe et de Victoria, les municipalités régionales de Durham et de York et la municipalité de district de Muskoka.
9. Le secteur 9, qui comprend les comtés de Dundas, de Frontenac, de Grenville, de Lanark, de Leeds, de Lennox et Addington et de Renfrew, la municipalité régionale d'Ottawa-Carleton et les districts territoriaux d'Algoma, de Cochrane, de Parry Sound, de Kenora, de Rainy River, de Sudbury, de Timiskaming et de Thunder Bay.
10. Le secteur 10, qui comprend les comtés de Glengarry, de Prescott, de Russell et de Stormont.

(1.1) Malgré le paragraphe (1), les conseillers et les membres de la commission locale qui occupent leur poste avant la tenue des élections de 2000 aux termes des articles 9 et 10 représentent les secteurs décrits à ce paragraphe tel qu'il existait immédiatement avant l'entrée en vigueur du Règlement de l'Ontario 555/99.

(2) Pour l'application du présent règlement, les producteurs qui ne sont pas des particuliers peuvent se faire représenter par les particuliers qu'ils désignent.

7. Aux fins de l'élection et de la nomination des conseillers, le secteur 9 est lui-même divisé en deux :

- a) le secteur 9 est, qui comprend les comtés de Dundas, de Frontenac, de Grenville, de Lanark, de Leeds, de Lennox et Addington et de Renfrew et la municipalité régionale d'Ottawa-Carleton;
- b) le secteur 9 nord, qui comprend les districts territoriaux d'Algoma, de Cochrane, de Parry Sound, de Kenora, de Rainy River, de Sudbury, de Timiskaming et de Thunder Bay.

8. (1) Le nombre de conseillers de l'industrie des oeufs à élire dans chaque secteur est calculé selon les règles suivantes :

1. Dans chaque secteur comprenant de un à cinq titulaires d'un contingent relatif à la production d'oeufs, un conseiller.
2. Dans chaque secteur comprenant plus de cinq titulaires d'un contingent relatif à la production d'oeufs, un conseiller pour chaque groupe de cinq titulaires et les conseillers supplémentaires prévus à la disposition 3.
3. Dans chaque secteur visé à la disposition 2 dans lequel il est impossible de diviser également par cinq le nombre de titulaires d'un contingent relatif à la production d'oeufs, un conseiller supplémentaire pour chaque groupe supplémentaire de trois ou quatre titulaires.

(1.1) Le nombre de conseillers de l'industrie des poulettes à élire dans chaque secteur est calculé selon les règles suivantes :

1. Dans chaque secteur comprenant de un à 10 titulaires d'un contingent relatif à la production de poulettes, un conseiller.
2. Dans chaque secteur comprenant plus de 10 titulaires d'un contingent relatif à la production de poulettes, un conseiller pour chaque groupe de 10 titulaires et les conseillers supplémentaires prévus à la disposition 3.
3. Dans chaque secteur visé à la disposition 2 dans lequel il est impossible de diviser également par 10 le nombre de titulaires d'un contingent relatif à la production de poulettes, un conseiller supplémentaire pour chaque groupe supplémentaire de cinq, six, sept, huit ou neuf titulaires.

(2) Seuls les titulaires d'un contingent relatif à la production d'oeufs peuvent être élus conseillers de l'industrie des oeufs.

(3) Seuls les titulaires d'un contingent relatif à la production de poulettes peuvent être élus conseillers de l'industrie des poulettes.

(4)

(5) Nul ne peut être élu conseiller dans plusieurs secteurs en même temps, ni conseiller de l'industrie des oeufs et conseiller de l'industrie des poulettes en même temps dans un même secteur.

9. (1) Chaque année, les producteurs d'oeufs de chaque secteur élisent des conseillers parmi eux.

(2) Chaque année, les producteurs de poulettes de chaque secteur élisent des conseillers parmi eux, sous réserve des paragraphes (3) et (4).

(3) Si le nombre de producteurs de poulettes indépendants qui se présentent à l'élection des conseillers de l'industrie des poulettes dans un secteur est inférieur ou égal au nombre de conseillers à élire dans ce secteur :

- a) d'une part, chaque producteur de poulettes indépendant qui se présente à l'élection est déclaré élu sans concurrent;
- b) d'autre part, les producteurs de poulettes du secteur élisent des conseillers parmi eux pour combler les postes restants, le cas échéant.

(4) Si le nombre de producteurs de poulettes indépendants qui se présentent à l'élection des conseillers de l'industrie des poulettes dans un secteur est supérieur au nombre de conseillers à élire dans le secteur, les producteurs de poulettes du secteur élisent des conseillers parmi ces producteurs de poulettes indépendants.

(5) Les élections visées aux paragraphes (1) et (2) se tiennent au plus tard le 1^{er} mars.

(6) Les conseillers occupent leur poste du jour où ils sont élus jusqu'à ce que leurs successeurs soient élus aux termes du présent article ou nommés aux termes de l'article 12.

10. (1) Chaque année, les conseillers de l'industrie des oeufs de chaque secteur élisent un membre à la commission locale parmi eux.

(2) Chaque année, les conseillers de l'industrie des poulettes élisent un membre à la commission locale parmi ceux d'entre eux qui sont des producteurs de poulettes indépendants.

(3) Les élections visées aux paragraphes (1) et (2) se tiennent au plus tard le 1^{er} avril.

11.

12. (1) Si, au 1^{er} avril d'une année donnée, un conseiller de l'industrie des oeufs ou des poulettes ou un membre de la commission locale n'a pas été élu conformément au présent règlement, celle-ci nomme un producteur admissible à ce poste à la première réunion postérieure à cette date.

(2) La commission locale peut nommer un producteur admissible pour terminer le mandat de tout membre qui ne veut pas ou ne peut pas exercer ses fonctions.

(3) La Commission peut nommer un membre à la commission locale si celle-ci ne le fait pas conformément au paragraphe (1) ou (2).

Made by:
Pris par :

ONTARIO FARM PRODUCTS MARKETING COMMISSION:
COMMISSION DE COMMERCIALISATION DES PRODUITS AGRICOLES DE L'ONTARIO :

DAVE HOPE
Chair
Président

GLORIA MARCO BORYS
Secretary
Secrétaire

Date made: September 14, 2005.
Pris le : 14 septembre 2005.

I certify that I have approved this Regulation.
Je certifie que j'ai approuvé le présent règlement.

La ministre de l'Agriculture, de l'Alimentation et des Affaires rurales,

LEONA DOMBROWSKY
Minister of Agriculture, Food and Rural Affairs

Date approved: April 26, 2006.
Approuvé le : 26 avril 2006.

19/06

NOTE: The Table of Regulations – Legislative History Overview and other tables related to regulations can be found at the e-Laws website (www.e-Laws.gov.on.ca) under Tables. Consolidated regulations may also be found at that site by clicking on Statutes and associated Regulations under Consolidated Law.

REMARQUE : On trouve le Sommaire de l'historique législatif des règlements et d'autres tables liées aux règlements sur le site Web Lois-en-ligne (www.lois-en-ligne.gouv.on.ca) en cliquant sur «Tables». On y trouve également les règlements codifiés en cliquant sur le lien Lois et règlements d'application sous la rubrique «Textes législatifs codifiés».

**Publications under the Regulations Act
Publications en vertu de la Loi sur les règlements**

2006—05—20

ONTARIO REGULATION 143/06

made under the

ELECTRICITY ACT, 1998

Made: April 27, 2006

Filed: May 1, 2006

Published on e-Laws: May 2, 2006

Printed in *The Ontario Gazette*: May 20, 2006

Amending O. Reg. 124/02

(Taxes and Charges on Hydro-Electric Generating Stations)

Note: Ontario Regulation 124/02 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Section 2 of Ontario Regulation 124/02 is amended by striking out “December 31, 2005” and substituting “December 31, 2006”.

2. This Regulation shall be deemed to have come into force on January 1, 2006.

Made by:

DWIGHT DOUGLAS DUNCAN
Minister of Finance

Date made: April 27, 2006.

20/06

ONTARIO REGULATION 144/06

made under the

FIRE PROTECTION AND PREVENTION ACT, 1997

Made: May 2, 2006

Filed: May 3, 2006

Published on e-Laws: May 4, 2006

Printed in *The Ontario Gazette*: May 20, 2006

Amending O. Reg. 388/97

(Fire Code)

Note: Ontario Regulation 388/97 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Article 1.1.6.2. of Ontario Regulation 388/97 is revoked and the following substituted:

1.1.6.2. RESERVED

2. (1) Table 1.1.7.A. of the Regulation is amended by adding the following item:

| Issuing Agency | Document Number | Title of Document | Code Reference |
|----------------|---------------------|---------------------------------------|----------------|
| CSA | C22.2 No. 141-M1985 | Unit Equipment for Emergency Lighting | 9.9.5.5.(2) |

(2) Table 1.1.7.A. of the Regulation is amended by striking out “CAN/CSA-C282-M89”, “CAN/ULC-S524-M91” and “CAN/ULC-S531-M87” and substituting the following:

| Issuing Agency | Document Number | Title of Document | Code Reference |
|----------------|-----------------|---|---|
| CSA | C282-05 | Emergency Electrical Power Supply for Buildings | 6.7.1.1.(1) 6.7.1.3. 9.9.5.5.(1), (2) |

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| | | | |
|-----|------------------|------------------------------------|--|
| ULC | CAN/ULC-S524-M91 | Installation of Fire Alarm Systems | 6.3.1.8. 9.9.4.12.(1) |
| ULC | CAN/ULC-S531-M87 | Smoke Alarms | 2.13.2.3.(1) 9.5.4.5.(3) 9.6.4.10.(3) 9.8.4.2.(3) 9.9.4.13.(2) |

(3) Table 1.1.7.A. of the Regulation is amended by adding the following item:

| Issuing Agency | Document Number | Title of Document | Code Reference |
|----------------|------------------|---|----------------|
| ULC | CAN/ULC-S537-M97 | Standard for the Verification of Fire Alarm Systems | 9.9.4.12.(2) |

(4) Table 1.1.7.A. of the Regulation is amended by striking out “CAN/ULC-S553-M86” and substituting the following:

| Issuing Agency | Document Number | Title of Document | Code Reference |
|----------------|------------------|------------------------------|--|
| ULC | CAN/ULC-S553-M86 | Installation of Smoke Alarms | 9.5.4.5.(3) 9.6.4.10.(3) 9.8.4.2.(3) 9.9.4.13.(4) |

3. (1) The definition of “Building Code” in Article 1.2.1.2. of the Regulation is revoked and the following substituted:

Building Code means any version of the **Ontario Building Code** that was in force at any time since it was made under **The Building Code Act, 1974**, the **Building Code Act** of the Revised Statutes of Ontario, 1980, the **Building Code Act** of the Revised Statutes of Ontario, 1990, the **Building Code Act, 1992** or a successor to the **Building Code Act, 1992**.

(2) Article 1.2.1.2. of the Regulation is amended by adding the following definitions:

Guest suite means a single room or a series of rooms of complementary use providing sleeping accommodation for the travelling public or for recreational purposes in a **hotel establishment**.

Hotel means **floor areas**, a **floor area** or part of a **floor area** containing four or more **suites** that provide sleeping accommodation for the travelling public or for recreational purposes.

Hotel establishment means a **building** containing a **hotel** and all subsidiary **occupancies** that are operated in connection with the **hotel** and includes all connected or adjacent **buildings** that are operated in connection with the **hotel**.

(3) The definition of “smoke detector” in Article 1.2.1.2. of the Regulation is revoked and the following substituted:

Smoke detector means a **fire detector** designed to operate when the concentration of airborne combustion products exceeds a predetermined level.

(4) Article 1.2.1.2. of the Regulation is amended by adding the following definition:

Total area means the total area of all floors above and below **grade**, including mezzanines and penthouses, measured between the inside surfaces of exterior walls or between the inside surfaces of exterior walls and the inside surfaces of firewalls.

4. Article 2.4.1.2. of the Regulation is revoked and the following substituted:

2.4.1.2. (1) Combustible materials, other than those for which the location, room or space is designed, shall not be permitted in any part of an elevator shaft, ventilation shaft or **means of egress**.

(2) Despite Sentence (1), corridors serving as **access to exits** for **guest suites** may contain solid wood or other **approved** furniture, provided the furniture does not create an obstruction to the egress route.

5. Subsection 2.4.1. of the Regulation is amended by adding the following Article:

2.4.1.11. (1) Waste containers in public washrooms and in other public areas in a **hotel establishment** shall be

- (a) **approved**, or
- (b) constructed of noncombustible material and have self-closing covers.

6. Article 2.6.1.8. of the Regulation is revoked and the following substituted:

Disconnect switches

2.6.1.8. Except for self-contained systems within **guest suites** and **dwelling units**, disconnect switches for mechanical air-conditioning and ventilating systems shall be operated annually to establish that the system can be shut down.

7. Article 2.6.1.12. of the Regulation is amended by adding the following Sentence:

(3) In a **hotel establishment** regulated by Section 9.9, commercial cooking equipment that complies with Article 9.9.2.19. shall be deemed to be in compliance with Sentence (1).

8. Sentence 2.7.1.6. (8) of the Regulation is revoked and the following substituted:

(8) Seats may be arranged in a manner that does not meet the requirements of Sentence (7) where the aisle widths are increased by 50 per cent above the requirements set out in Sentences (2) to (6), and where the maximum **occupant load** of the space is based on not less than 1.2 m² of floor space per person.

9. Subsection 2.8.1. of the Regulation is amended by adding the following Article:

2.8.1.3. (1) Employees in a **hotel establishment** shall be instructed on

- (a) the procedures outlined in Article 2.8.2.1., and
- (b) the use of fire fighting equipment, including portable fire extinguishers and, where applicable, standpipe and hose systems.

10. Articles 2.8.2.2., 2.8.2.5. and 2.8.3.2. of the Regulation are revoked and the following substituted:

Institutional occupancies and hotels

2.8.2.2. (1) There shall be sufficient **supervisory staff** available in **institutional occupancies** to carry out the duties as required in the fire safety plan.

(2) In **hotel establishments**

- (a) there shall be sufficient **supervisory staff** available to carry out the duties as required in the fire safety plan, and
- (b) in **buildings** greater than three storeys in **building height** or having a **total area** greater than 4000 m², **supervisory staff** shall be on duty whenever the **building** is occupied.

Posting fire emergency procedures

2.8.2.5. (1) At least one copy of the fire emergency procedures shall be prominently posted and maintained on each **floor area**.

(2) In addition to Sentence (1), in a **hotel establishment**

- (a) one copy of the **approved** fire safety plan shall be posted in the main reception area, and
- (b) a copy of the emergency procedures, location of **exits** and the fire safety rules shall be posted on the inside of the egress doors of each **guest suite**.

Frequency

2.8.3.2. (1) Fire drills as described in Sentence 2.8.3.1.(1) shall be held at least once during each 12-month period for the **supervisory staff**, except that

- (a) in day-care centres, facilities regulated by or under the **Developmental Services Act** and Group 'B' **occupancies**, fire drills shall be held at least monthly,

- (b) in schools attended by children, total evacuation fire drills shall be held three times in each of the fall and spring school terms, and
 - (c) in **buildings** within the scope of Subsection 3.2.6. of the **Building Code**, fire drills shall be held every three months.
- (2) In addition to the requirements of Sentence (1), every employee in a **hotel establishment** shall take part in at least one fire drill during each 12-month period.
- (3) Records of a fire drill required by this Article shall be kept for 12 months after the fire drill.

11. Sentence 4.3.13.4.(1) of the Regulation is revoked and the following substituted:

(1) In **buildings** not required to be equipped with a standpipe system by the **Building Code**, hose stations conforming to Articles 3.2.9.2. to 3.2.9.7. of Ontario Regulation 403/97, as it read on August 21, 2000, shall be provided in the vicinity of the storage room, such that all parts of the room are within reach of a hose stream.

12. Article 6.3.3.1. of the Regulation is revoked and the following substituted:

6.3.3.1. (1) This Subsection applies to **smoke alarms**

- (a) in **dwelling units**,
 - (b) in dwelling units regulated under Section 9.8, and
 - (c) in **guest suites**.
- (2) In Clause (1)(b), “dwelling unit” means “dwelling unit” as defined in Clause 9.8.1.1.(2)(b).

13. Subsection 6.4.1. of the Regulation is amended by adding the following Article:

Hotels

6.4.1.5. In **buildings** containing a **hotel**, a standpipe and hose system shall not be shut down, disconnected or otherwise impaired without notifying the **Chief Fire Official** in accordance with a schedule identified in the **approved** fire safety plan.

14. Subsection 6.4.3. of the Regulation is amended by adding the following Article:

Hotels

6.4.3.7. In **buildings** containing a **hotel**, flow and pressure **tests** shall be conducted annually at the highest and most remote hose valve or hose connection to verify that the water supply for the standpipe system is provided as originally designed.

15. Article 6.5.2.2. of the Regulation is revoked and the following substituted:

- 6.5.2.2. (1) Sprinkler control valves and sprinkler water supplies shall not be shut down, disconnected or otherwise impaired for more than 24 hours without notifying the **Chief Fire Official**.
- (2) In **buildings** containing a **hotel**, sprinkler control valves and sprinkler water supplies shall not be shut down, disconnected or otherwise impaired
- (a) for 24 hours or less without notifying the **Chief Fire Official** in accordance with a schedule identified in the **approved** fire safety plan, or
 - (b) for more than 24 hours without notifying the **Chief Fire Official**.

16. Subsection 6.6.3. of the Regulation is amended by adding the following Article:

Hotels

6.6.3.6. In **buildings** containing a **hotel**, the intervals referred to in Articles 6.6.3.3. and 6.6.3.4. are permitted to be once per month.

17. Articles 9.1.2.2., 9.1.3.1. and 9.1.3.2. of the Regulation are revoked and the following substituted:

- 9.1.2.2. (1) Except for Section 9.9, this Part does not apply to **buildings** or parts thereof that satisfy the requirements of the **Building Code**.
- (2) Section 9.9 does not apply to **buildings** or parts thereof that satisfy the requirements of the **Building Code** as it read on or after July 1, 1993.

Compliance time

9.1.3.1. (1) Except as permitted in Article 9.1.3.2., it is the responsibility of the **owner** to comply with the requirements of Section 9.9, except as permitted in Sentences (2), (3) and (4), as of January 1, 2007.

(2) In a **hotel establishment** constructed after August 31, 1971, or in an addition to a **hotel establishment** constructed after August 31, 1971, it is the responsibility of the **owner** to comply with the requirements of

- (a) Article 9.9.1.2., as of January 1, 2008,
- (b) Sentence 9.9.2.12.(5) and Article 9.9.4.13., as of July 1, 2008,
- (c) Sentences 9.9.2.8.(2), 9.9.2.14.(3) and (4) and 9.9.3.3.(2), (3) and (5), Clauses 9.9.4.2.(2)(b) and (c) and Sentence 9.9.4.2.(4), as of January 1, 2010, and
- (d) Article 9.9.2.9., Sentences 9.9.2.10.(7) and (8), Article 9.9.2.13., Sentences 9.9.2.15.(3) and 9.9.3.2.(3) and Articles 9.9.4.14., 9.9.5.1., 9.9.5.3. and 9.9.5.5, as of January 1, 2012.

(3) In a **hotel establishment** constructed after August 31, 1971, or in an addition to a **hotel establishment** constructed after August 31, 1971, it is the responsibility of the **owner** to comply with the requirements of Sentence 9.9.2.8.(1) with respect to self-closing devices on doors as of January 1, 2010.

(4) In a **hotel establishment** constructed prior to September 1, 1971, or in an addition to a **hotel establishment** constructed prior to September 1, 1971, it is the responsibility of the **owner** to comply with the requirements of

- (a) Article 9.9.1.2., as of January 1, 2008,
- (b) Sentence 9.9.2.12.(5) and Article 9.9.4.13., as of July 1, 2008,
- (c) Article 9.9.2.6., Sentences 9.9.2.8.(1) and (2), 9.9.2.14.(3) and (4) and 9.9.3.3.(2), (3), (5) and (6), Article 9.9.3.5., Sentences 9.9.3.6.(2) and 9.9.3.7.(1), Clauses 9.9.4.2.(2)(b) and (c) and Sentence 9.9.4.2.(4), as of January 1, 2010, and
- (d) Sentence 9.9.2.1.(6), Articles 9.9.2.2. to 9.9.2.5., 9.9.2.7. and 9.9.2.9., Sentences 9.9.2.10.(7) and (8), Article 9.9.2.13., Sentences 9.9.2.15.(3), 9.9.3.2.(2) and (3) and Articles 9.9.4.14., 9.9.5.1., 9.9.5.2., 9.9.5.3. and 9.9.5.5, as of January 1, 2012.

(5) Sections 9.2, 9.3, 9.4, 9.5, 9.6 and 9.8 do not apply to **buildings** with respect to which the **Chief Fire Official** has granted an exemption under a predecessor to this Regulation for so long as the exemption is valid.

Extension of time

9.1.3.2. If compliance is not possible by the date required under Article 9.1.3.1. because of a strike, material shortage or other circumstances beyond an **owner's** control, the **Chief Fire Official** may grant an extension of the time for compliance.

18. Subclause 9.1.4.2. (1)(d)(i) of the Regulation is revoked and the following substituted:

- (i) the number, type, access to, direction to, lighting for and identification of exits,

19. Article 9.1.4.4. of the Regulation is revoked and the following substituted:

Time schedule

9.1.4.4. The time schedule referred to in Clause 9.1.4.1.(1)(c) may provide for a compliance date after the compliance date required by Article 9.1.3.1.

20. (1) Sentence 9.2.1.1. (2) of the Regulation is revoked and the following substituted:

- (2) For the purposes of this Section,
- (a) "1986 Building Code" means Ontario Regulation 419/86, as it read on February 11, 1987, and
- (b) "existing" means in existence on February 11, 1987.

(2) Subsection 9.2.1. of the Regulation is amended by adding the following Article:

9.2.1.3. This Section does not apply to a **building** or part of a **building** regulated by Section 9.9.

21. (1) Sentence 9.3.1.1. (3) of the Regulation is revoked and the following substituted:

- (3) For the purposes of this Section,
- (a) "1986 Building Code" means Ontario Regulation 419/86, as it read on February 11, 1987, and
- (b) "existing" means in existence on February 11, 1987.

(2) Subsection 9.3.1. of the Regulation is amended by adding the following Article:

9.3.1.3. This Section does not apply to a **building** or part of a **building** regulated by Section 9.9.

22. Sentence 9.4.1.1. (2) of the Regulation is revoked and the following substituted:

- (2) For the purposes of this Section,
- (a) "1986 Building Code" means Ontario Regulation 419/86, as it read on February 11, 1987, and

(b) "existing" means in existence on February 11, 1987.

23. (1) Sentence 9.5.1.1. (4) of the Regulation is revoked and the following substituted:

(4) For the purposes of this Section,

(a) "1990 Building Code" means Ontario Regulation 413/90, as it read on October 9, 1992, and

(b) "existing" means in existence on October 9, 1992.

(2) Subsection 9.5.1. of the Regulation is amended by adding the following Article:

9.5.1.3. This Section does not apply to a **building** or part of a **building** regulated by Section 9.9.

24. (1) Sentence 9.6.1.1. (4) of the Regulation is revoked and the following substituted:

(4) For the purposes of this Section,

(a) "1990 Building Code" means Ontario Regulation 413/90, as it read on October 9, 1992, and

(b) "existing" means in existence on October 9, 1992.

(2) Subsection 9.6.1. of the Regulation is amended by adding the following Article:

9.6.1.3. This Section does not apply to a **building** or part of a **building** regulated by Section 9.9.

25. Clause 9.8.1.1.(2)(a) of the Regulation is revoked and the following substituted:

(a) "1994 Building Code" means Regulation 61 of the Revised Regulations of Ontario, 1990, as it read on July 14, 1994,

26. The Regulation is amended by adding the following Section:

SECTION 9.9 HOTELS

Subsection 9.9.1. Application

Application

9.9.1.1. (1) Except as provided in Sentences (2), (3) and (4), this Section applies to every **hotel establishment**.

(2) Except as required in Sentence (5), this Section does not apply to a **hotel establishment** where every **building** that contains a **hotel**

(a) is not more than one **storey** in **building height**, and

(b) has a **building area** of 300 m² or less.

(3) Except as required in Sentences (5) and (6), this Section does not apply to a **building** or part of a **building** that was regulated by Section 9.2, 9.3, 9.5 or 9.6 on December 31, 2006 if the use of the **building** is unchanged since that date.

(4) Except as required in Sentence (6), if the **building** contains **major occupancies** that operate under independent control from the **hotel establishment**, this Section does not apply to fire safety systems, devices and structural elements of those **major occupancies** that do not affect the life safety of the **hotel** occupants.

(5) Article 9.9.4.13. applies to a **building** or part of a **building** described in Sentence (2) or (3).

(6) Articles 9.9.2.9. and 9.9.2.15. apply to a **building** or part of a **building** described in Sentence (3) or (4).

(7) For the purposes of this Section,

(a) "1994 Building Code" means Regulation 61 of the Revised Regulations of Ontario, 1990, as it read on June 23, 1994, and

(b) "existing" means in existence on January 1, 2007.

Building audit

9.9.1.2. (1) A **building** audit shall be prepared and retained by the **owner**.

(2) The **building** audit referred to in Sentence (1) shall identify and describe the existing **building** features in relation to the requirements of this Section, including

(a) containment and control of a fire, including

(i) **fire separations**,

(ii) **firewalls**,

(iii) **construction assemblies**,

(iv) **occupancy separations**,

- (v) interior finishes,
- (vi) smoke control,
- (vii) heating, ventilating and air-conditioning systems, and
- (viii) commercial cooking equipment,
- (b) detection, including
 - (i) alarm and detection systems,
 - (ii) **smoke alarms**, and
 - (iii) voice communication systems,
- (c) suppression, including
 - (i) **fire department** access,
 - (ii) standpipe and hose systems,
 - (iii) sprinkler or special extinguishing systems, and
 - (iv) firefighters' elevators, and
- (d) egress, including
 - (i) the number, type, **access to**, direction to, lighting for and identification of **exits**,
 - (ii) fire escapes,
 - (iii) **occupant load**, and
 - (iv) emergency lighting.

Subsection 9.9.2. Containment

Construction

9.9.2.1. (1) **Fire separations** required by this Section to have a **fire-resistance rating** shall be in conformance with Subsection 3.1.7. and Articles 3.1.8.1., 3.1.8.2., 3.1.8.3. and 3.5.4.2. of the 1994 Building Code.

(2) Where a 2-hr or less **fire-resistance rating** is required, existing wall assemblies, floor assemblies and their supporting assemblies consisting of

- (a) reinforced concrete,
- (b) masonry, or
- (c) clay tile with plaster or gypsum board finish on both sides

shall be deemed to be in compliance with Sentence (1).

(3) Where a 1-hr or less **fire-resistance rating** is required, existing wall assemblies, floor assemblies, ceilings and their supporting assemblies that consist of membranes of lath and plaster or gypsum board shall be deemed to be in compliance with Sentence (1).

(4) **Heavy timber construction** conforming to Article 3.1.4.6. of the 1994 Building Code shall be deemed to have a 45-min **fire-resistance rating**.

(5) **Buildings** with limited combustible components may be **approved** as **noncombustible construction**.

(6) Except as permitted in Sentences (7) and (8), floor assemblies shall be **fire separations**.

(7) Sentence (6) does not apply to floor assemblies between different levels of the same multi-level **guest suite**.

(8) A floor assembly immediately above a crawl space is not required to be constructed as a **fire separation** and is not required to have a **fire-resistance rating** provided the crawl space is not considered as a basement in Sentence 3.2.2.5.(1) of the 1994 Building Code.

Buildings up to three storeys

9.9.2.2. (1) **Buildings** shall comply with the requirements of Sentence (2), where the **building** is

- (a) not more than one **storey** in **building height** and not greater than 1200 m² in **building area**,
- (b) not more than two **storeys** in **building height** and not greater than 900 m² in **building area**, or
- (c) not more than three **storeys** in **building height** and not greater than 600 m² in **building area**.

(2) Floor assemblies and walls, columns and arches supporting floor assemblies shall have a 30-min **fire-resistance rating**.

(3) Where sleeping accommodation or meeting rooms are not provided in the **basement**, an existing **fire separation** between the **first storey** and **basement** shall be deemed to be in compliance with Sentence (2) where

- (a) the **basement** is **sprinklered**,
- (b) the **building** contains not more than four **guest suites** and provides sleeping accommodation for not more than 10 persons, and
 - (i) interconnected **smoke alarms** are installed in conformance with Clause 9.9.4.1.(3)(c),
 - (ii) doors connecting the **basement** and **first storey** have a 20-min **fire-protection rating** and are equipped with self-closing and latching devices, and
 - (iii) **fire stopping** of the wall space at the **basement** level is in conformance with Article 9.10.15.3. of the 1994 Building Code, or
- (c) the **building** is one **storey** in **building height**, not more than 600 m² in **building area**, and
 - (i) each **guest suite** has direct access to the outdoors by a door near ground level,
 - (ii) doors connecting the **basement** and **first storey** have a 20-min **fire-protection rating** and are equipped with self-closing and latching devices,
 - (iii) fire stopping of the wall space at the **basement** level is in accordance with Article 9.10.15.3. of the 1994 Building Code, and
 - (iv) an **approved** early warning system is installed consisting of **fire detectors** in the **basement** interconnected with alarm signalling devices that are audible in all **guest suites**.

(4) The water supply for the sprinklers referred to in Clause (3)(a) may be taken from the domestic supply where the supply provides sufficient density for the largest **fire compartment** and where the supply is **approved**.

(5) A **building** that is **sprinklered** shall be deemed to be in compliance with Sentence (2).

Buildings up to four storeys

9.9.2.3. (1) **Buildings** to which Sentence 9.9.2.2.(1) does not apply and that are not more than four **storeys** in **building height** shall comply with Sentences (2) and (3).

(2) Floor assemblies and walls, columns and arches supporting floor assemblies shall have a 45-min **fire-resistance rating**.

(3) **Smoke detectors** shall be provided in corridors serving **guest suites** in **buildings** of **combustible construction**.

(4) A **building** that is **sprinklered** shall be deemed to be in compliance with Sentences (2) and (3).

Buildings over four storeys but not more than six storeys

9.9.2.4. (1) **Buildings** to which Articles 9.9.2.2. and 9.9.2.3. do not apply and that are not more than six **storeys** in **building height** shall

- (a) have a 45-min **fire-resistance rating** for floor assemblies and walls, columns and arches supporting floor assemblies, and
- (b) be **sprinklered**, where the **building** is of **combustible construction**.

(2) Where only the roof assembly is of **combustible construction**, the **building** shall be deemed to be in compliance with Clause (1)(b) where

- (a) the ceiling membrane has a 45-min **fire-resistance rating** and the **attic space** is **fire stopped** in conformance with Article 3.1.11.5. of the 1994 Building Code,
- (b) the roof assembly is of **heavy timber construction** in conformance with Article 3.1.4.6. of the 1994 Building Code, or
- (c) the top **storey** and **attic space** are **sprinklered**.

(3) Where **smoke detectors** are provided in corridors serving **guest suites**, a **building** of **heavy timber construction** conforming to Article 3.1.4.6. of the 1994 Building Code shall be deemed to be in compliance with Sentence (1).

Buildings over six storeys

9.9.2.5. (1) **Buildings** that are more than six **storeys** in **building height** shall

- (a) have a 1-hr **fire-resistance rating** for floor assemblies and walls, columns and arches supporting floor assemblies, and
- (b) be **sprinklered**, where the **building** is of **combustible construction**.

(2) Where only the roof assembly is of **combustible construction**, the **building** shall be deemed to be in compliance with Clause (1)(b) where

- (a) the ceiling membrane has a 45-min **fire-resistance rating** and the **attic space** is **fire stopped** in conformance with Article 3.1.11.5. of the 1994 Building Code,
- (b) the roof assembly is of **heavy timber construction** in conformance with Article 3.1.4.6. of the 1994 Building Code, or
- (c) the top **storey** and attic space are **sprinklered**.

Adjacent buildings

9.9.2.6. (1) A **building** containing a **hotel** shall be separated from a directly connected adjacent **building** that does not contain a **hotel** by a noncombustible **fire separation** having a 2-hr **fire-resistance rating**.

(2) An existing wall having a 2-hr **fire-resistance rating** and constructed as a **fire separation** shall be deemed to be in compliance with Sentence (1).

(3) Where the connection consists of an aboveground or underground walkway in conformance with Articles 3.2.3.20. and 3.2.3.21. of the 1994 Building Code, the **building** shall be deemed to be in compliance with Sentence (1).

Interconnected floor spaces

9.9.2.7. (1) Despite Sentence 9.9.2.1.(6), a floor assembly may be penetrated by an unprotected opening between two contiguous **storeys** up to the fifth **storey** where

- (a) the **building** is of **noncombustible construction**,
- (b) the interconnected floor space does not contain sleeping accommodation, and
- (c) the required **fire-resistance rating** of the floor assembly is maintained.

(2) Despite Sentence 9.9.2.1.(6), in a **building** that is not more than three **storeys** in **building height** and not more than 600 m² in **building area**, a floor assembly is not required to be constructed as a **fire separation** between two contiguous **storeys** where

- (a) the interconnected floor space consists of the **first storey** and the **storey** next above or below, but not both,
- (b) the interconnected floor space is **sprinklered**, and
- (c) the sprinkler system is equipped with a waterflow device and electrical supervision in conformance with Sentence 3.2.8.7.(2) of the 1994 Building Code.

(3) Despite Sentence 9.9.2.1.(6), a floor assembly in a storage garage or an open air parking garage is not required to be constructed as a **fire separation**.

(4) Interconnected floor spaces in conformance with Subsection 3.2.8. of the 1994 Building Code shall be deemed to be in compliance with Sentence (1).

Fire separation of guest suites

9.9.2.8. (1) **Guest suites** shall be separated from adjacent rooms and areas on the same **floor area** by

- (a) a **fire separation** having a 30-min **fire-resistance rating** in **buildings** that are not more than six **storeys** in **building height**, and
- (b) a **fire separation** having a 45-min **fire-resistance rating** in **buildings** that are more than six **storeys** in **building height**.

Fire separation of corridors

(2) Corridors serving **guest suites** shall be separated from adjacent rooms and areas on the same **floor area** by

- (a) a **fire separation** having a 30-min **fire-resistance rating** in **buildings** that are not more than six **storeys** in **building height**, and
- (b) a **fire separation** having a 45-min **fire-resistance rating** in **buildings** that are more than six **storeys** in **building height**.

(3) Existing **fire separations** having less than a 45-min **fire-resistance rating** shall be deemed to be in compliance with Sentences (1) and (2) where the **floor area** is **sprinklered**.

Fire separations between major occupancies

9.9.2.9. (1) **Fire separations** having a 45-min **fire-resistance rating** shall be provided between **major occupancies**.

(2) Existing **fire separations** having a 30-min **fire-resistance rating** shall be deemed to be in compliance with Sentence (1) where

- (a) the **floor area** is **sprinklered**, or
- (b) the part of the **building** containing the **major occupancy** is equipped with **fire detectors** and connecting corridors are equipped with **smoke detectors** as part of the fire alarm system of the **building**.

Protection of openings in fire separations

9.9.2.10. (1) **Closures in fire separations** shall be in conformance with

- (a) Sentences 3.1.8.4.(2) and 3.1.8.10.(1) of the 1994 Building Code, and
- (b) Articles 3.1.8.11. and 3.1.8.13. of the 1994 Building Code.

(2) Despite Sentence (1), openings in **fire separations** to which Article 9.9.2.8. or 9.9.2.11. applies may be protected with **closures** having a 20-min **fire-protection rating**.

(3) Where a 1-hr or less **fire-protection rating** is required, existing **closures** consisting of

- (a) hollow metal or kalamein doors in hollow metal frames, with openings, if any, protected by wired glass and equipped with self-closing and latching devices, or
- (b) wired glass screens set in fixed steel frames

shall be deemed to be in compliance with Sentence (1).

(4) Where a 20-min **fire-protection rating** is required, existing **closures** consisting of door assemblies of 45 mm solid core wood doors installed in solid wood or hollow metal frames and equipped with self-closing and latching devices shall be deemed to be in compliance with Sentences (1) and (2).

(5) Despite Sentence (1), existing **closures in fire separations** to which Articles 9.9.2.8. and 9.9.3.6. apply need not be equipped with latching devices in **buildings** that are not more than six **storeys in building height**.

(6) Where the **floor area** is **sprinklered**, existing **closures in fire separations** to which Article 9.9.2.8. applies shall be deemed to be in compliance with Clause (1)(a) and Sentence (2).

(7) **Fire dampers** shall be installed in **fire separations** in conformance with Article 3.1.8.7. of the 1994 Building Code.

(8) Despite Sentence (7), **fire dampers** are not required in existing noncombustible ducts at penetrations of **fire separations**.

Laundry rooms, storage rooms and maintenance shops

9.9.2.11. Laundry rooms, storage rooms exceeding 0.6 m² in area and maintenance shops shall be separated from the remainder of the **building** by a **fire separation** having a 45-min **fire-resistance rating**.

Fuel-fired appliances

9.9.2.12. (1) Fuel-fired **appliances**, except for cooking **appliances**, shall be separated from the remainder of the **building** by a **fire separation** having a 1-hr **fire-resistance rating**.

(2) Sentence (1) does not apply to a gas or oil-fired **appliance** installed on the roof of a **building** of **noncombustible construction**.

(3) Sentence (1) does not apply to fireplaces and **space heaters** provided the **appliance** is not located in an **exit** or in a corridor serving as an **access to exit** for **guest suites**.

(4) Despite Sentence (1), the **fire-resistance rating** of the **fire separation** above the room is not required where

- (a) the required vertical **fire separation** to the room is provided, and
- (b) the room area is fully **sprinklered**, with a spacing not exceeding 9.5 m² per sprinkler head, or providing a minimum average density of 6.5 L/min/m² over the room area.

(5) Where an **appliance** is separated in conformance with this Article, sufficient combustion air shall be brought directly from the outside for the safe operation of the **appliance**.

(6) Where it is impractical to provide combustion air directly from the outside as required in Sentence (5), alternative means for the safe operation of the **appliance** may be **approved**.

(7) Despite Sentence (1), a **fire separation** is not required for a fuel-fired **appliance** located within a **guest suite** and serving only that **guest suite**.

Vertical service spaces

9.9.2.13. (1) **Vertical service spaces** shall be separated from the remainder of the **building** by a **fire separation** having a 45-min **fire-resistance rating**.

(2) Where the existing **vertical service space**, including the top and bottom, is sealed with gypsum board, lath and plaster or other similar noncombustible material, the **vertical service space** shall be deemed to be in compliance with Sentence (1).

Refuse and linen chutes

9.9.2.14. (1) Unless otherwise **approved**, linen and refuse chutes shall be located in a shaft separated from the remainder of the **building** by a **fire separation** having a 1-hr **fire-resistance rating**.

(2) Linen and refuse chutes shall terminate or discharge directly into rooms that are separated from the remainder of the **building** by a **fire separation** having a 1-hr **fire-resistance rating**.

(3) In **buildings** more than two **storeys** in **building height**, automatic sprinklers shall be installed in each linen or refuse chute

- (a) at the top,
 - (b) at alternate floor levels, and
 - (c) in the room or bin into which the chute discharges.
- (4) An existing chute installation shall be deemed to be in compliance with Sentence (3) where
- (a) the chute outlet in the discharge room is protected by an automatic, self-latching **closure** held open by a fusible link in **buildings** greater than six storeys in **building height**,
 - (b) the room into which the chute discharges is **sprinklered**, and
 - (c) at least one sprinkler head with a minimum discharge rate of 66 L/min is located at the top of the chute.

Smoke control

9.9.2.15. (1) **Buildings** containing a **hotel** where the vertical distance between the floor of the top **storey** and **grade** exceeds 18 m shall have smoke control measures in conformance with Sentences (2) and (3).

(2) **Buildings** containing a **hotel** shall

- (a) have smoke control measures that prevent smoke spread from **floor areas** containing other **occupancies** to upper **floor areas** that contain **guest suites**, or
- (b) be **sprinklered** on all **floor areas** containing other **occupancies** that are located below floors that contain **guest suites**.

(3) **Buildings** containing a **hotel** shall have smoke control measures in conformance with Article 3.2.6.2. of the 1994 Building Code.

(4) A **building** shall be deemed to be in compliance with Sentence (3) where

- (a) all **guest suites** have access to an exterior balcony,
- (b) the length of corridors serving **guest suites** does not exceed 30 m between **exits**,
- (c) corridors serving **guest suites** are equipped with **smoke detectors** connected to the fire alarm system,
- (d) corridors serving **guest suites** are subdivided in conformance with Sentence (5), or
- (e) the **building** is **sprinklered**.

(5) The corridor subdivision referred to in Clause (4)(d) shall

- (a) separate the corridor into at least two compartments by a **fire separation** that does not require a **fire-resistance rating**,
- (b) be located so that not more than one of the required **exit** stairs is located in any one compartment and the distance of travel from any **guest suite** entrance door to an **exit** or adjacent compartment does not exceed 25 m, and
- (c) include smoke-tight doors equipped with self-closing devices that act as **closures** in the **fire separation**.

Pipes, ducts and plenums

9.9.2.16. (1) Pipes, ducts, plenums and other equipment in heating and air handling systems shall be constructed of steel, **approved** noncombustible material or other **approved** material.

(2) Insulating materials and adhesives for pipes, ducts, plenums and other components of heating and air handling systems shall be noncombustible or shall have a **flame-spread rating** of 25 or less or shall be of some other **approved** composition.

(3) Where an **attic space**, a crawl space, a corridor ceiling space or any other concealed space is used as a plenum, the concealed space shall be lined with noncombustible material, material having a **flame-spread rating** of 25 or less or other **approved** material.

9.9.2.17. (1) A **fire separation** that separates an **exit** stairway from the remainder of the **building** shall not be breached by a duct or other part of an air handling system.

(2) Despite Sentence (1), an **exit** through a lobby or other entrance area that is within a stairway separation may be breached, provided the stairway is separated from the entrance area by a **fire separation** having a 45-min **fire-resistance rating**.

9.9.2.18. No stairway enclosure or corridor shall be used as a plenum to exhaust air from other areas.

Commercial cooking equipment

9.9.2.19. (1) An existing commercial cooking equipment installation in conformance with Sentences (2) to (6) shall be deemed to be in compliance with Sentence 2.6.1.12.(1).

(2) Commercial cooking equipment shall have an existing exhaust system which, unless otherwise **approved**, shall be provided with

- (a) a hood or other primary collection device to collect and confine all cooking vapours and residues emanating from the cooking equipment,
- (b) a grease filter or other means of grease extraction,
- (c) a duct from the hood or other primary collection device which
 - (i) leads as directly as possible to the outside,
 - (ii) is independent and not connected to any other ventilation system, and
 - (iii) has adequate openings for inspection and cleaning purposes that are equipped with tight fitting doors,
- (d) a residue trap with provisions for cleanout at the base of each vertical riser, and
- (e) mechanically induced air flow of sufficient velocity to confine cooking vapours and residues to the hood or other primary collection means installed at the cooking equipment.

(3) Pipes, ducts, plenums and other components of the exhaust system shall be constructed of steel, **approved** noncombustible material or other **approved** material.

(4) Insulating material and adhesive used in the exhaust system shall be noncombustible or shall have a **flame-spread rating** of 25 or less or shall have some other **approved** composition.

(5) The commercial cooking equipment shall be

- (a) located in a kitchen that is separated from the remainder of the **building** by a **fire separation** having a 45-min **fire-resistance rating**, or
- (b) protected by a fixed fire protection system.

(6) The **fire separation** referred to in Sentence (5) may contain an unprotected pass-through opening into the adjoining dining area if **approved** measures are provided to limit fire spread.

Subsection 9.9.3. Means of Egress

Occupant load

9.9.3.1. (1) The **occupant load** for calculation of the number and width of **access to exits** and **exits** referred to in this Section shall be determined in accordance with Subsection 3.1.16. of the 1994 Building Code.

(2) The **occupant load** of a **floor area** may vary if it is used for different **occupancies** at different times, but the **exits** from the **floor area** shall provide the aggregate **exit** width prescribed in Article 9.9.3.2. for the greatest **occupant load**.

Access to exit

9.9.3.2. (1) Each room, **guest suite**, podium, terrace, platform, contained open space or other area intended for **occupancy** shall have egress facilities leading directly to

- (a) a public thoroughfare,
- (b) an **approved** open space that has access to a public thoroughfare, or
- (c) a corridor where it is possible to go in opposite directions to separate **exits**, except as otherwise permitted by this Article or Article 9.9.3.3.

Dead end corridors

(2) Dead end corridors shall not be longer than 6 m plus the width of the corridor, unless otherwise **approved**.

(3) Unless otherwise **approved**, no area may be served by a dead end corridor where

- (a) the area contains an **assembly occupancy** and its **occupant load** is greater than 20 persons,
- (b) the area is intended for storage and exceeds 200 m², or
- (c) the area is intended for a use other than that described in Clauses (a) and (b) and exceeds 100 m² in area or has an **occupant load** greater than 24 persons.

(4) If a **guest suite** has access to a second **exit** or if a **guest suite** is in a **building** that is permitted to be served by a single **exit** in compliance with Article 9.9.3.3., a doorway from the **guest suite** may open onto

- (a) an **exit** stairway,
- (b) a fire escape,
- (c) a corridor served by a single **exit**, or
- (d) an exterior passageway served by a single **exit** stairway.

Egress facilities

(5) Each room, **guest suite**, podium, terrace, platform, contained open space or other area intended for **occupancy** shall have two egress doorways placed in such a manner that one doorway could provide egress from the room or area if the other doorway becomes inaccessible to the occupants due to a fire which might originate in the room or area where

- (a) the space is intended for **assembly occupancy**, and
 - (i) the distance of travel to an egress door from any point in the space exceeds 15 m, or
 - (ii) the **occupant load** exceeds 60 persons,
- (b) the space is intended for storage, and
 - (i) exceeds 200 m² in area, or
 - (ii) the distance of travel to an egress door from any point in the space exceeds 23 m, or
- (c) the space is intended for a use other than that described in Clauses (a) and (b), and
 - (i) exceeds 100 m² in area, or
 - (ii) the **occupant load** exceeds 60 persons.

(6) Despite Sentence (5), every room containing an **assembly occupancy** shall be provided with at least

- (a) three independent well-separated egress doorways, where its **occupant load** is 600 persons or more, and
- (b) four independent well-separated egress doorways where its **occupant load** is 1000 persons or more.

(7) Where a room or **floor area** is divided into individual spaces for **assembly occupancy**, egress through an adjacent **assembly occupancy** is permitted provided each space has at least one independent egress doorway in accordance with Sentence (1) and dividing walls or partitions are not more than 1.35 m in height.

(8) Dividing walls or partitions in Sentence (7) may exceed 1.35 m in height if alternative provisions are **approved** to provide safe egress.

Egress widths

(9) The aggregate width of required **means of egress** from a **floor area** or portion of a **floor area** shall be determined by multiplying the **occupant load** of the area served by

- (a) 6.1 mm per person, for ramps with a gradient of not more than 1 in 8, doorways, corridors and passageways, or
- (b) 9.2 mm per person, for ramps with a gradient of more than 1 in 8 and stairs.

(10) Where two or more egress doorways are required from a **floor area** or portion of a **floor area**, a sufficient aggregate width shall be provided so that the egress capacity is not reduced by more than half if any one doorway or opening is inaccessible in an emergency.

(11) Despite Sentences (9) and (10), the minimum clear width of a **means of egress** shall be not less than

- (a) 1100 mm for corridors,
- (b) 900 mm for stairs, and
- (c) 750 mm for doorways, ramps and all other areas.

Number of exits

9.9.3.3. (1) Each **floor area** shall be served by a minimum of two **exits** where

- (a) the **floor area** is intended for **assembly occupancy**, and
 - (i) the distance of travel to an **exit** from any point in the space exceeds 15 m, or
 - (ii) the **occupant load** exceeds 60 persons,
- (b) the **floor area** is intended for storage, and
 - (i) exceeds 200 m² in area, or
 - (ii) the distance of travel to an **exit** from any point in the space exceeds 23 m,

- (c) the **floor area** is a **basement**, and
 - (i) exceeds 200 m² in area, or
 - (ii) contains areas that are accessible to the public, or
- (d) the **floor area** is intended for a use other than that described in Clauses (a), (b) and (c), and
 - (i) exceeds 100 m² in area, or
 - (ii) the **occupant load** exceeds 60 persons.

(2) Despite Sentence (1), each **floor area** shall be served by at least two **exits** in **buildings** that are more than three **storeys** in **building height**.

(3) Despite Sentence (1), where a **building** is three **storeys** in **building height**, the third **storey** shall be served by at least two **exits** unless **approved** alternative measures are used.

(4) Despite Sentence (3), a single **exit** is permitted from the third **storey** used as the residence of the **hotel owner** or manager.

(5) The minimum distance between **exits** referred to in Sentences (1), (2) and (3) shall be 9 m or half the maximum diagonal dimension of the **floor area**, whichever is less.

(6) **Exits** shall be deemed to be in compliance with Sentence (5) where the **floor area** is divided by a **fire separation** having a 45-min **fire-resistance rating** so that it is necessary to pass through the **fire separation** to travel from one **exit** to another **exit**.

Exit widths

9.9.3.4. Except as provided in Sentence 9.9.3.7.(2), the width of **exits** shall be in conformance with Article 9.9.3.2.

Travel distance

9.9.3.5. (1) The **travel distance** to at least one **exit** shall not exceed

- (a) 30 m in a **floor area** that is not **sprinklered**,
- (b) 45 m in a **sprinklered floor area**, or
- (c) 45 m in a **basement** that is not accessible to the public.

Stairway separations

9.9.3.6. (1) Each **exit** stairway shall be separated from the remainder of the **building** by a **fire separation** having a 45-min **fire-resistance rating**.

(2) Each **exit** stairway shall lead directly to a public thoroughfare or to an **approved** open space from inside the **fire separation** described in Sentence (1).

(3) Despite Sentence (2), one **exit** from a **floor area** is permitted to lead through a lobby provided

- (a) the path of travel through the lobby to the outdoors at ground level is not more than 15 m,
- (b) a **fire separation**, constructed in accordance with Sentence (1), is provided between the lobby and any **exit** permitted by this Sentence to lead through a lobby,
- (c) the lobby is not located within an interconnected floor space described in Article 9.9.2.7.,
- (d) from the interior of the **exit** stair that leads through the lobby, there is an unobstructed path of travel not leading through the lobby to an alternate **exit** such that
 - (i) it is not necessary to travel up or down more than one **storey** to reach the alternate **exit** by means of a protected **access to exit**, or
 - (ii) the path of travel is entirely within the same **storey** as the lobby and is separated from the lobby by a **fire separation** having not less than a 45-min **fire-resistance rating**, and
- (e) **approved** provisions are made to direct occupants to the alternate **exit** described in Clause (d) in the event of a fire condition in the lobby.

(4) The lobby described in Sentence (3) is permitted to contain an **occupancy** provided the required egress width is maintained and clearly delineated.

(5) Despite Sentence 9.9.2.12.(3), the lobby described in Sentence (3) is permitted to contain a fireplace or a **space heater**.

(6) Despite Sentence (2), an **exit** through a lobby is permitted in conformance with Article 3.4.4.2. or 9.9.8.5. of the 1994 Building Code, as applicable for the size and height of the **building**.

Exterior stairways and fire escapes

9.9.3.7. (1) Exterior **exit** stairways and fire escapes shall not serve **floor areas** above the sixth **storey**.

(2) Unless otherwise **approved**, each fire escape used as an **exit** and each exterior **exit** stairway shall be in conformance with Articles 3.4.7.2., 3.4.7.3., 3.4.7.5. and 3.4.7.6. of the 1994 Building Code.

(3) Unless otherwise **approved**, exterior **exit** stairways, fire escapes and exterior **exit** passageways serving any **storey** above the second **storey** or any **basement** below the first **basement** shall be protected against fire exposure from the **building** by having

- (a) window openings, except **first storey** display windows, protected by wired glass in fixed steel frames, and
- (b) doorways and other openings protected by **closures** having a 45-min **fire-protection rating**

where such openings are located within 3 m horizontally, within three **storeys** below, within 10 m below or within 1.8 m above the exterior stairway, fire escape or passageway.

(4) Exterior **exit** stairways leading across roofs shall be provided with handrails on both sides of the walkway leading to the stairway at the edge of the roof, unless otherwise **approved**.

(5) Exterior **exit** stairways and fire escapes below **grade** shall be

- (a) enclosed by side walls and a roof, with a door to ground level at the upper landing,
- (b) provided with a roof projecting horizontally for a distance of at least 1.8 m beyond any step or landing, or
- (c) provided with some other **approved** construction or device to prevent snow from accumulating in the stairway or fire escape.

(6) Sentence (3) does not apply to an exterior passageway if

- (a) 50 per cent or more of the exterior side is open to the outdoors,
- (b) the exterior passageway floor assembly has a **fire-resistance rating** of not less than 45-min or is of **noncombustible construction**, and
- (c) an **exit** stairway is provided at each end of the passageway.

Door swing and hardware

9.9.3.8. Each **exit** door and door providing an **access to exit** shall be in conformance with Subsection 2.7.2.

Emergency access to floor areas

9.9.3.9. Doors providing access between **floor areas** and **exit** stairs shall comply with Article 3.4.6.16. of the 1994 Building Code.

Signs

9.9.3.10. (1) **Exit** signs shall be installed in accordance with Subsection 3.4.5. of the 1994 Building Code.

(2) Each door opening into an **exit** stairway shall be identified with the number assigned to that floor in accordance with Article 3.4.6.17. of the 1994 Building Code.

(3) Existing doors that have the floor level identified in plain legible block letters or numbers at least 114 mm high with a 19 mm stroke on both sides of the door shall be deemed to be in compliance with Sentence (2).

Interior finishes

9.9.3.11. (1) Interior finish materials on the walls and ceilings of **exits** and **access to exits** shall be in accordance with Subsection 3.1.13. of the 1994 Building Code, except as provided in Sentence (2) or otherwise **approved**.

(2) Sentence (1) does not apply to

- (a) wood or other **approved** materials, treated with an **approved** fire retardant, used on the walls of lobbies, foyers, vestibules, entrance halls and other major entrance areas,
- (b) combustible interior finishes including paint, wallpaper and other interior finishes not more than 1.5 mm thick used on the walls of corridors, and
- (c) combustible materials that have a **flame-spread rating** of 150 or less used on the walls and ceilings of **access to exits** if the **access to exits** are sprinklered.

9.9.3.12. The **flame-spread rating** of interior wall and ceiling finishes in rooms containing an **assembly occupancy** shall be not more than 150.

Lighting

9.9.3.13. Every **exit** and **access to exit** shall be equipped to provide illumination to an average level of at least 50 lx at floor level and at all points such as angles and intersections at changes of level where there are stairs and ramps.

Emergency lighting

- 9.9.3.14. (1) Emergency lighting shall be provided in
- (a) **exits and access to exits in buildings** required to have a fire alarm system, and
 - (b) rooms containing an **assembly occupancy** with an **occupant load** of more than 60 persons.
- (2) Emergency lighting required in Sentence (1) shall be
- (a) designed to provide illumination for a duration of at least
 - (i) 2 hours in **buildings** where the vertical distance between the floor of the top **storey** and **grade** exceeds 18 m, and
 - (ii) 30 minutes in **buildings** where the vertical distance between the floor of the top **storey** and **grade** is not more than 18 m,
 - (b) supplied by a source of energy separate from the primary electrical supply for the **building**, and
 - (c) designed to be automatically actuated when the power to the **building** is interrupted.
- (3) Illumination from emergency lighting referred to in Sentence (2) shall be an average of at least 10 lx at floor or tread level, or 1 watt/m² of floor space.

Subsection 9.9.4. Fire Alarm and Detection

Fire alarm requirements

9.9.4.1. (1) A fire alarm system with **listed** components shall be installed in each **building** in accordance with Articles 9.9.4.2. to 9.9.4.12. where

- (a) the **building area** is more than 600 m²,
 - (b) the **building** is more than one **storey** in **building height**, or
 - (c) each **guest suite** is not served by an exterior **exit** facility leading to ground level.
- (2) A **building** shall be deemed to be in compliance with Sentence (1) where
- (a) the **building** is not more than three **storeys** in **building height**,
 - (b) each **guest suite** is served by an exterior **exit** facility leading to ground level,
 - (c) each **guest suite** is separated from adjacent rooms by a **fire separation** having a 45-min **fire-resistance rating**, and
 - (d) each **guest suite** is equipped with a **smoke alarm**.
- (3) A **building** shall be deemed to be in compliance with Sentence (1) where
- (a) the **building** is not more than three **storeys** in **building height**,
 - (b) sleeping accommodation is provided for not more than 10 persons, and
 - (c) the **building** is equipped with
 - (i) **smoke alarms** on or near the ceiling in corridors serving **guest suites** on each **floor area**, adjacent to each stairway serving the corridors, and on or near the ceiling in the **basement**, adjacent to each stairway, and
 - (ii) one manual pull station in each **floor area** in an **approved** location,
 installed and interconnected so that the actuation of any manual pull station or **smoke alarm** will cause all **smoke alarms** to operate and be audible throughout the **building**.

Automatic detection

9.9.4.2. (1) Automatic detection devices referred to in Sentences (2), (3) and (4) shall be installed and connected to the fire alarm system required in Sentence 9.9.4.1.(1).

- (2) **Fire detectors** shall be installed
- (a) in every part of a **building** that requires a fire alarm system in Article 9.9.4.1., other than corridors, washrooms, closets in **guest suites**, saunas, refrigerated areas and swimming pools,
 - (b) at the tops of elevator shafts, and
 - (c) at the tops of **exit** stairs.
- (3) Despite Sentence (2), **fire detectors** are not required in existing **guest suites** where **smoke detectors** are installed in every corridor serving the **guest suites**.
- (4) Rooms or areas that are **sprinklered** in accordance with Article 3.2.4.16. of the 1994 Building Code shall be deemed to be in compliance with Sentence (2).

Manual pull stations

9.9.4.3. (1) Unless otherwise **approved**, manual pull stations shall be installed at

- (a) the main reception area, and
- (b) near every **exit**.

(2) Despite Sentence (1), a manual pull station may serve two **exits** where

- (a) the **exits** are not more than 9 m apart,
- (b) the **exits** are located on the same **storey**, and
- (c) the manual pull station is readily accessible and visible from each **exit**.

(3) A manual pull station shall be

- (a) red in colour,
- (b) readily accessible and unobstructed,
- (c) readily visible, and

(d) unless otherwise **approved**, installed at a height not less than 1.2 m and not more than 1.5 m, measured vertically from the finished floor surface.

Alarm signalling devices

9.9.4.4. (1) Alarm signalling devices shall be

- (a) installed on all **storeys**, unless otherwise **approved**,
- (b) located so that the **alarm** and **alert** signals when sounded, may be heard throughout the **building** over all normal sounds at any time, and
- (c) be distinctive in sound.

Annunciator panels

9.9.4.5. (1) In a **building** that is four or more **storeys** in **building height** or has a **total area** of 4000 m² or more, an annunciator panel shall

- (a) be installed near the main entrance, in the main reception area or other **approved** location that is readily accessible to the **fire department**, and
- (b) indicate all floors with not more than one floor per zone indicated.

(2) **Fire detectors** required in Clauses 9.9.4.2.(2)(b) and (c) may be considered as part of the adjoining floor for the purposes of Clause 9.9.4.5.(1)(b).

Shutdown of air handling systems

9.9.4.6. Recirculating air handling systems that serve more than one **guest suite** or **storey** shall be arranged to shut down upon actuation of the fire alarm system, except where continued operation of the air handling system serves as part of a smoke control system.

Trouble signals

9.9.4.7. (1) A trouble signal sounding device and, where the trouble signal sounding device has a silencing switch, a trouble light shall be installed in

- (a) the main reception area, or
- (b) a continuously supervised area.

Operation

9.9.4.8. Fire alarm systems shall operate in conformance with Article 3.2.4.4. of the 1994 Building Code, unless otherwise **approved**.

Continuity

9.9.4.9. Each **building** shall not have more than one fire alarm system, unless otherwise **approved**.

Electrical supervision

9.9.4.10. Fire alarm systems shall be electrically supervised.

Emergency power

9.9.4.11. (1) Fire alarm systems shall be provided with an emergency power supply in conformance with Article 3.2.7.8. of the 1994 Building Code.

(2) An existing emergency power supply that is capable of providing supervisory power for not less than 24 hours and emergency power under full load for not less than 5 minutes at the end of the 24-hour period shall be deemed to be in compliance with Sentence (1).

Primary power

(3) Fire alarm system connections to the primary source of power shall be on a separate circuit equipped with separate circuit breakers or fuse switches that are located in a secure area.

(4) When a **building** is not supplied with primary power from a public utility, two **approved** independent sources of power shall be provided to the fire alarm system.

Installation

9.9.4.12. (1) Where a fire alarm system is required to be installed, extended or modified by this Section, the installation, extension or modification shall be in conformance with CAN/ULC-S524, "Installation of Fire Alarm Systems".

(2) Where a fire alarm system has been installed, extended or modified as required by this Section, the system or portion of the system shall be tested in conformance with CAN/ULC-S537, "Standard for the Verification of Fire Alarm Systems".

(3) Sentences (1) and (2) do not apply to existing fire alarm system components.

Smoke alarms

9.9.4.13. (1) **Smoke alarms** shall be installed in each **guest suite**.

(2) **Smoke alarms** required in Sentence (1) shall be in conformance with CAN/ULC-S531, "Smoke Alarms".

(3) Existing **smoke alarms** meeting the requirements of ULC-S531-1978, "Smoke Alarms", shall be deemed to be in compliance with Sentence (2).

(4) **Smoke alarms** required in Sentence (1) shall be installed in conformance with CAN/ULC-S553, "Installation of Smoke Alarms".

(5) **Smoke alarms** shall be installed with permanent connections to an electrical circuit and shall have no disconnect switches between the overcurrent device and the **smoke alarm**.

(6) Despite Sentence (5), battery operated **smoke alarms** may be used.

(7) Unless otherwise **approved**, at least one **smoke alarm** shall be installed on each floor of a multi-level **guest suite** and the **smoke alarms** shall be interconnected so that the actuation of one **smoke alarm** will cause all **smoke alarms** within the **guest suite** to sound.

Voice communication systems

9.9.4.14. (1) A voice communication system shall be provided in each **building** where the vertical distance between the floor of the top **storey** and **grade** exceeds 36 m.

(2) The voice communication system required by Sentence (1) shall

(a) consist of loudspeakers operated from the central alarm and control facility or other location that is accessible to the **fire department** and **supervisory staff** appointed under Section 2.8 and that is **approved**,

(b) provide a clear verbal signal throughout the **building**, except for elevator cars, and

(c) provide for automatic silencing of the fire **alarm signals** or **alert signals** when the loudspeakers are in use.

(3) **Approved** existing public address systems compatible with the fire safety plan required under Section 2.8 and capable of communicating instructions to the **building** occupants shall be deemed to be in compliance with Sentences (1) and (2).

Subsection 9.9.5. Suppression

Access for fire fighting

9.9.5.1. (1) Access routes for fire fighting shall be provided in conformance with the requirements of Articles 3.2.5.5. to 3.2.5.7. of the 1994 Building Code.

(2) Sentence (1) does not apply where the **building** is **sprinklered**.

(3) In **buildings** not greater than six **storeys** in **building height**, existing access routes

(a) having a clear width of at least 6 m,

(b) capable of supporting the expected loads imposed by fire fighting equipment and surfaced with concrete, asphalt or other material that provides accessibility under all climatic conditions,

(c) located not less than 3 m and not more than 15 m from the principal entrance, and

(d) connected with a public thoroughfare
shall be deemed to be in compliance with Sentence (1).

(4) Despite Sentence (1), alternative methods may be **approved** where, in the opinion of the **Chief Fire Official**, they provide protection for life safety similar to the protection provided by compliance with Sentence (1).

Standpipe systems

9.9.5.2. (1) In **buildings** that are greater than three **storeys** in **building height**, a standpipe and hose system shall be installed in conformance with Subsection 3.2.9. of the 1994 Building Code.

(2) A standpipe and hose system installed in conformance with Sentences (3) to (6) shall be deemed to be in compliance with Sentence (1).

(3) Hose stations shall

(a) be located so that all areas

(i) are protected by a hose station on the same **storey**, and

(ii) can be reached by a hose stream and are within 6 m of a hose nozzle when the hose is extended,

(b) be provided with a 38 mm hose valve, unless otherwise **approved**,

(c) be equipped with not more than 30 m of 38 mm hose on a hose rack, unless otherwise **approved**,

(d) have the hose attached, ready for use at all times and equipped with a shut-off combination fog and straight stream nozzle,

(e) be within easy reach of a person standing on the floor, with the hose valve connection located no more than 1.5 m from the floor, and

(f) be located

(i) in corridors where possible, and

(ii) in hose cabinets.

(4) Despite Subclause (3)(a)(i), a penthouse may be protected by a hose station located in the **storey** below.

(5) A standpipe and hose system shall

(a) have an adequate water supply capable of producing a hose stream of at least 6 m from the hose nozzle at the highest fire hose outlet, and

(b) be served by at least one **fire department** connection located on the outside of the **building** adjacent to a **street**, readily accessible to the **fire department**.

(6) Hose cabinets shall be

(a) of sufficient size to accommodate a hose, hose rack, hose valve and fire extinguisher,

(b) conspicuously identified, by lettering at least 50 mm high or by the provision of a sufficiently large glass panel in the door to ensure that the equipment in the cabinet is readily visible,

(c) equipped with a door without locks, constructed to open easily, unless otherwise **approved**, and

(d) so located that the door, when open, will not obstruct any doorway.

Elevators for firefighters' use

9.9.5.3. (1) At least one elevator shall be provided for use by firefighters in conformance with Articles 3.2.6.8. and 3.2.6.9. of the 1994 Building Code in **buildings** where the vertical distance between the floor of the top **storey** and **grade** exceeds 18 m.

(2) An elevator shall be deemed to be in compliance with Sentence (1) where

(a) the elevator is capable of providing transportation from the **street** floor to every floor served by the elevator system,

(b) the elevator is identified on the **street** floor as an elevator provided for use by firefighters,

(c) the elevator satisfies the requirements of Sentences 3.2.6.8.(1) to (4) of the 1994 Building Code, and

(d) other elevator cabs in the same shaft as the elevator for use by firefighters satisfy the requirements of Sentences 3.2.6.8.(1) and (2) of the 1994 Building Code.

(3) An elevator system that requires transfer from one elevator to another to reach all floors above **grade** shall be deemed to be in compliance with Sentence (1) where

(a) the elevators are identified on the **street** floor and the transfer floor as elevators provided for firefighters' use,

(b) the elevators satisfy the requirements of Sentences 3.2.6.8.(1) to (4) of the 1994 Building Code,

- (c) emergency power is provided that is capable of operating one elevator car at a time, in **buildings** where the vertical distance between the floor of the top **storey** and **grade** exceeds 36 m, and
- (d) other elevator cabs in the same shaft as the elevator for use by firefighters satisfy the requirements of Sentences 3.2.6.8.(1) and (2) of the 1994 Building Code.

Sprinkler systems

9.9.5.4. Unless otherwise **approved**, where a **building** or portion thereof is required to be **sprinklered**, the sprinkler system shall be designed and constructed in conformance with Articles 3.2.5.13. to 3.2.5.16. of the 1994 Building Code.

Emergency power supply

9.9.5.5. (1) Unless otherwise **approved**, emergency electric power provided by generators for

- (a) fire alarm and detection systems in Sentence 9.9.4.1.(1), and
- (b) elevator cars in Clause 9.9.5.3.(3)(c)

shall be installed in conformance with CSA-C282, "Emergency Electrical Power Supply for Buildings", as applicable.

(2) Unless otherwise **approved**, emergency electric power required for emergency lighting systems required in Sentence 9.9.3.14.(1) shall be installed in conformance with CSA-C282, "Emergency Electrical Power Supply for Buildings" or CSA-C22.2 No. 141, "Unit Equipment for Emergency Lighting", as applicable.

27. This Regulation comes into force on January 1, 2007.

Made by:

MONTE KWINTER
Minister of Community Safety and Correctional Services

Date made: May 2, 2006.

20/06

ONTARIO REGULATION 145/06

made under the

HIGHWAY TRAFFIC ACT

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Amending Reg. 619 of R.R.O. 1990
(Speed Limits)

Note: Regulation 619 has previously been amended. Those amendments are listed in the [Table of Regulations – Legislative History Overview](#) which can be found at www.e-Laws.gov.on.ca.

1. Part 4 of Schedule 3 to Regulation 619 of the Revised Regulations of Ontario, 1990 is amended by adding the following paragraph:

County of Middlesex — City of London

- 8. That part of the King's Highway known as No. 4 in the City of London in the County of Middlesex beginning at a point situate 3 metres measured southerly from its intersection with the southerly limit of the roadways known as Littlewood Drive/Glanworth Drive and extending southerly for a distance of 1100 metres.

Made by:

HARINDER JEET SINGH TAKHAR
Minister of Transportation

Date made: May 1, 2006.

20/06

ONTARIO REGULATION 146/06
made under the
CONSERVATION AUTHORITIES ACT

Made: April 27, 2006
Approved: May 2, 2006
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Printed in *The Ontario Gazette*: May 20, 2006

**CATFISH CREEK CONSERVATION AUTHORITY: REGULATION OF DEVELOPMENT,
INTERFERENCE WITH WETLANDS AND ALTERATIONS TO SHORELINES AND
WATERCOURSES**

Definition

1. In this Regulation,

“Authority” means the Catfish Creek Conservation Authority.

Development prohibited

2. (1) Subject to section 3, no person shall undertake development, or permit another person to undertake development in or on the areas within the jurisdiction of the Authority that are,

- (a) adjacent or close to the shoreline of the Great Lakes-St. Lawrence River System or to inland lakes that may be affected by flooding, erosion or dynamic beaches, including the area from the furthest offshore extent of the Authority’s boundary to the furthest landward extent of the aggregate of the following distances:
 - (i) the 100 year flood level, plus the appropriate allowance for wave uprush as outlined in the document entitled “Shoreline Management Plan-Catfish Creek Conservation Authority, April 1991, which is available at or through the Authority at its head office located at 8079 Springwater Road, R.R.#5 Aylmer, Ontario, N5H 2R4,
 - (ii) the predicted long term stable slope projected from the existing stable toe of the slope or from the predicted location of the toe of the slope as that location may have shifted as a result of shoreline erosion over a 100-year period,
 - (iii) where a dynamic beach is associated with the waterfront lands, the appropriate allowance inland to accommodate dynamic beach movement as outlined in the document “Shoreline Management Plan-Catfish Creek Conservation Authority, April 1991”, which is available at or through the Authority at the address given in subclause (i), and
 - (iv) 15 metres inland;
- (b) river or stream valleys that have depressional features associated with a river or stream, whether or not they contain a watercourse, the limits of which are determined in accordance with the following rules:
 - (i) where the river or stream valley is apparent and has stable slopes, the valley extends from the stable top of bank, plus 15 metres, to a similar point on the opposite side,
 - (ii) where the river or stream valley is apparent and has unstable slopes, the valley extends from the predicted long term stable slope projected from the existing stable slope or, if the toe of the slope is unstable, from the predicted

location of the toe of the slope as a result of stream erosion over a projected 100-year period, plus 15 metres, to a similar point on the opposite side,

(iii) where the river or stream valley is not apparent, the valley extends the greater of,

(A) the distance from a point outside the edge of the maximum extent of the flood plain under the applicable flood event standard, plus 15 metres, to a similar point on the opposite side, and/or

(B) the distance from the predicted meander belt of a watercourse, expanded as required to convey the flood flows under the applicable flood event standard, plus 15 metres, to a similar point on the opposite side;

(c) hazardous lands;

(d) wetlands; or

(e) other areas where development could interfere with the hydrologic function of a wetland, including areas within 120 metres of all provincially significant wetlands and areas within 30 metres of all other wetlands, but not including those where development has been approved pursuant to an application made under the *Planning Act* or other public planning or regulatory process.

(2) The areas described in subsection (1) are the areas referred to in section 12 except that, in case of a conflict, the description of the areas provided in subsection (1) prevails over the descriptions referred to in that section.

Permission to develop

3. (1) The Authority may grant permission for development in or on the areas described in subsection 2 (1) if, in its opinion, the control of flooding, erosion, dynamic beaches, pollution or the conservation of land will not be affected by the development.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

4. A signed application for permission to undertake development shall be filed with the Authority and shall contain the following information:

1. Four copies of a plan of the area showing the type and location of the development.
2. The proposed use of the buildings and structures following completion of the development.
3. The start and completion dates of the development.
4. The elevations of existing buildings, if any, and grades and the proposed elevations of buildings and grades after development.
5. Drainage details before and after development.
6. A complete description of the type of fill proposed to be placed or dumped.

Alterations prohibited

5. Subject to section 6, no person shall straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse or change or interfere in any way with a wetland.

Permission to alter

6. (1) The Authority may grant a person permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or to change or interfere with a wetland.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

7. A signed application for permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or change or interfere with a wetland shall be filed with the Authority and shall contain the following information:

1. Four copies of a plan of the area showing plan view and cross-section details of the proposed alteration.
2. A description of the methods to be used in carrying out the alteration.
3. The start and completion dates of the alteration.
4. A statement of the purpose of the alteration.

Cancellation of permission

8. (1) The Authority may cancel a permission if it is of the opinion that the conditions of the permission have not been met.

(2) Before cancelling a permission, the Authority shall give a notice of intent to cancel to the holder of the permission indicating that the permission will be cancelled unless the holder shows cause at a hearing why the permission should not be cancelled.

(3) Following the giving of the notice, the Authority shall give the holder at least five days notice of the date of the hearing.

Validity of permissions and extensions

9. (1) A permission of the Authority is valid for a maximum period of 24 months after it is issued, unless it is specified to expire at an earlier date.

(2) A permission shall not be extended.

Appointment of officers

10. The Authority may appoint officers to enforce this Regulation.

Flood event standards

11. The applicable flood event standards used to determine the maximum susceptibility to flooding of lands or areas within the watersheds in the area of jurisdiction of the Authority are the Hurricane Hazel Flood Event Standard, the 100 Year Flood Event Standard and the 100 year flood level plus wave uprush, described in Schedule 1.

Areas included in the Regulation Limit

12. Hazardous lands, wetlands, shorelines and areas susceptible to flooding, and associated allowances, within the watersheds in the area of jurisdiction of the Authority are delineated by the Regulation Limit shown on maps 1 to 33 dated May 2005 and filed at the head office of the Authority at R.R.#5 Aylmer, Ontario under the map title "Ontario Regulation 97/04: Regulation for Development, Interference with Wetlands and Alterations to Shorelines and Watercourses".

Revocation

13. Regulation 144 of the Revised Regulations of Ontario, 1990 is revoked.

SCHEDULE 1

1. The Hurricane Hazel Flood Event Standard means a storm that produces over a 48-hour period,

- (a) in a drainage area of 25 square kilometres or less, rainfall that has the distribution set out in Table 1; or
- (b) in a drainage area of more than 25 square kilometres, rainfall such that the number of millimetres of rain referred to in each case in Table 1 shall be modified by the percentage amount shown in Column 2 of Table 2 opposite the size of the drainage area set out opposite thereto in Column 1 of Table 2.

TABLE 1

| |
|--|
| 73 millimetres of rain in the first 36 hours |
| 6 millimetres of rain in the 37th hour |
| 4 millimetres of rain in the 38th hour |
| 6 millimetres of rain in the 39th hour |
| 13 millimetres of rain in the 40th hour |
| 17 millimetres of rain in the 41st hour |
| 13 millimetres of rain in the 42nd hour |
| 23 millimetres of rain in the 43rd hour |
| 13 millimetres of rain in the 44th hour |
| 13 millimetres of rain in the 45th hour |
| 53 millimetres of rain in the 46th hour |
| 38 millimetres of rain in the 47th hour |
| 13 millimetres of rain in the 48th hour |

TABLE 2

| Column 1 | Column 2 |
|-----------------------------------|------------|
| Drainage Area (square kilometres) | Percentage |
| 26 to 45 both inclusive | 99.2 |
| 46 to 65 both inclusive | 98.2 |
| 66 to 90 both inclusive | 97.1 |
| 91 to 115 both inclusive | 96.3 |
| 116 to 140 both inclusive | 95.4 |
| 141 to 165 both inclusive | 94.8 |

| Column 1 | Column 2 |
|-----------------------------------|------------|
| Drainage Area (square kilometres) | Percentage |
| 166 to 195 both inclusive | 94.2 |
| 196 to 220 both inclusive | 93.5 |
| 221 to 245 both inclusive | 92.7 |
| 246 to 270 both inclusive | 92.0 |
| 271 to 450 both inclusive | 89.4 |
| 451 to 575 both inclusive | 86.7 |
| 576 to 700 both inclusive | 84.0 |
| 701 to 850 both inclusive | 82.4 |
| 851 to 1000 both inclusive | 80.8 |
| 1001 to 1200 both inclusive | 79.3 |
| 1201 to 1500 both inclusive | 76.6 |
| 1501 to 1700 both inclusive | 74.4 |
| 1701 to 2000 both inclusive | 73.3 |
| 2001 to 2200 both inclusive | 71.7 |
| 2201 to 2500 both inclusive | 70.2 |
| 2501 to 2700 both inclusive | 69.0 |
| 2701 to 4500 both inclusive | 64.4 |
| 4501 to 6000 both inclusive | 61.4 |
| 6001 to 7000 both inclusive | 58.9 |
| 7001 to 8000 both inclusive | 57.4 |

2. The 100 Year Flood Event Standard means rainfall or snowmelt, or a combination of rainfall and snowmelt producing at any location in a river, creek, stream or watercourse, a peak flow that has a probability of occurrence of one per cent during any given year.

3. The 100 year flood level means the peak instantaneous still water level plus an allowance for wave uprush and other water-related hazards for Lake Erie in the Great Lakes-St. Lawrence River System that has a probability of occurrence of one per cent during any given year.

Made by:

CATFISH CREEK CONSERVATION AUTHORITY:

DANIAL R. DALE
Chair

KIM SMALE
General Manager/Secretary-Treasurer

Date made: April 27, 2006.

I certify that I have approved this Regulation.

DAVID JAMES RAMSAY
Minister of Natural Resources

Date approved: May 2, 2006.

20/06

ONTARIO REGULATION 147/06

made under the

CONSERVATION AUTHORITIES ACT

Made: April 27, 2006

Approved: May 2, 2006

Filed: May 4, 2006

Published on e-Laws: May 8, 2006

Printed in *The Ontario Gazette*: May 20, 2006

AUSABLE BAYFIELD CONSERVATION AUTHORITY: REGULATION OF DEVELOPMENT, INTERFERENCE WITH WETLANDS AND ALTERATIONS TO SHORELINES AND WATERCOURSES

Definition

1. In this Regulation,

“Authority” means the Ausable Bayfield Conservation Authority.

Development prohibited

2. (1) Subject to section 3, no person shall undertake development, or permit another person to undertake development in or on the areas within the jurisdiction of the Authority that are,

(a) adjacent or close to the shoreline of the Great Lakes-St. Lawrence River System or to inland lakes that may be affected by flooding, erosion or dynamic beaches, including the area from the furthest offshore extent of the Authority’s boundary to the furthest landward extent of the aggregate of the following distances:

- (i) the 100 year flood level, plus a 15 metre allowance for wave uprush and other water related hazards,
- (ii) the predicted long term stable slope projected from the existing stable toe of the slope or from the predicted location of the toe of the slope as that location may have shifted as a result of shoreline erosion over a 100-year period,
- (iii) where a dynamic beach is associated with the waterfront lands, a 30 metre allowance inland to accommodate dynamic beach movement, and
- (iv) the lesser of 15 metres inland or the landward extent of Lakeshore Area 2 as defined in the document entitled “Ausable Bayfield Conservation Authority Shoreline Management Plan” second edition, 2000, which is available at or through the Authority at its head office located at 71103 Morrison Line, R.R.#3, Exeter, Ontario, N0M 1S5;

(b) river or stream valleys that have depressional features associated with a river or stream, whether or not they contain a watercourse, the limits of which are determined in accordance with the following rules:

- (i) where the river or stream valley is apparent and has stable slopes, the valley extends from the stable top of bank, plus 15 metres, to a similar point on the opposite side,
- (ii) where the river or stream valley is apparent and has unstable slopes, the valley extends from the predicted long term stable slope projected from the existing stable slope or, if the toe of the slope is unstable, from the predicted location of the toe of the slope as a result of stream erosion over a projected 100-year period, plus 15 metres, to a similar point on the opposite side,
- (iii) where the river or stream valley is not apparent, the valley extends the greater of,
 - (A) the distance from a point outside the edge of the maximum extent of the flood plain under the applicable flood event standard, plus 15 metres, to a similar point on the opposite side, and
 - (B) the distance from the predicted meander belt of a watercourse, expanded as required to convey the flood flows under the applicable flood event standard, plus 15 metres, to a similar point on the opposite side;

(c) hazardous lands;

(d) wetlands; or

(e) other areas where development could interfere with the hydrologic function of a wetland, including areas within 120 metres of all provincially significant wetlands, and areas within 30 metres of all other wetlands, but not including those areas where development has been approved pursuant to an application made under the *Planning Act* or other public planning or regulatory process.

(2) The areas described in subsection (1) are the areas referred to in section 12 except that, in case of a conflict, the description of the areas provided in subsection (1) prevails over the descriptions referred to in that section.

Permission to develop

3. (1) The Authority may grant permission for development in or on the areas described in subsection 2 (1) if, in its opinion, the control of flooding, erosion, dynamic beaches, pollution or the conservation of land will not be affected by the development.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

4. A signed application for permission to undertake development shall be filed with the Authority and shall contain the following information:

1. Four copies of a plan of the area showing the type and location of the development.
2. The proposed use of the buildings and structures following completion of the development.
3. The start and completion dates of the development.
4. The elevations of existing buildings, if any, and grades and the proposed elevations of buildings and grades after development.
5. Drainage details before and after development.
6. A complete description of the type of fill proposed to be placed or dumped.

Alterations prohibited

5. Subject to section 6, no person shall straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse or change or interfere in any way with a wetland.

Permission to alter

6. (1) The Authority may grant a person permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or to change or interfere with a wetland.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

7. A signed application for permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or change or interfere with a wetland shall be filed with the Authority and shall contain the following information:

1. Four copies of a plan of the area showing plan view and cross-section details of the proposed alteration.
2. A description of the methods to be used in carrying out the alteration.
3. The start and completion dates of the alteration.
4. A statement of the purpose of the alteration.

Cancellation of permission

8. (1) The Authority may cancel a permission if it is of the opinion that the conditions of the permission have not been met.

(2) Before cancelling a permission, the Authority shall give a notice of intent to cancel to the holder of the permission indicating that the permission will be cancelled unless the holder shows cause at a hearing why the permission should not be cancelled.

(3) Following the giving of the notice, the Authority shall give the holder at least five days notice of the date of the hearing.

Validity of permissions and extensions

9. (1) A permission of the Authority is valid for a maximum period of 24 months after it is issued, unless it is specified to expire at an earlier date.

(2) A permission shall not be extended.

Appointment of officers

10. The Authority may appoint officers to enforce this Regulation.

Flood event standards

11. The applicable flood event standards used to determine the maximum susceptibility to flooding of lands or areas within the watersheds in the area of jurisdiction of the Authority are the Hurricane Hazel Flood Event Standard, the 100 Year Flood Event Standard and the 100 year flood level plus wave uprush, described in Schedule 1.

Areas included in the Regulation Limit

12. Hazardous lands, wetlands, shorelines and areas susceptible to flooding, and associated allowances, within the watersheds in the area of jurisdiction of the Authority are delineated by the Regulation Limit shown on maps 1 to 94 dated October 2005 and filed at the head office of the Authority at 71103 Morrison Line, R.R.#3, Exeter, Ontario under the map title "Ontario Regulation 97/04: Regulation for Development, Interference with Wetlands and Alterations to Shorelines and Watercourses".

Revocation

13. Ontario Regulation 46/95 is revoked.

SCHEDULE 1

1. The Hurricane Hazel Flood Event Standard means a storm that produces over a 48-hour period,
 - (a) in a drainage area of 25 square kilometres or less, rainfall that has the distribution set out in Table 1; or
 - (b) in a drainage area of more than 25 square kilometres, rainfall such that the number of millimetres of rain referred to in each case in Table 1 shall be modified by the percentage amount shown in Column 2 of Table 2 opposite the size of the drainage area set out opposite thereto in Column 1 of Table 2.

TABLE 1

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| 73 millimetres of rain in the first 36 hours |
| 6 millimetres of rain in the 37th hour |
| 4 millimetres of rain in the 38th hour |
| 6 millimetres of rain in the 39th hour |
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| 17 millimetres of rain in the 41st hour |
| 13 millimetres of rain in the 42nd hour |
| 23 millimetres of rain in the 43rd hour |
| 13 millimetres of rain in the 44th hour |
| 13 millimetres of rain in the 45th hour |
| 53 millimetres of rain in the 46th hour |
| 38 millimetres of rain in the 47th hour |
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TABLE 2

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| Drainage Area (square kilometres) | Percentage |
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| 91 to 115 both inclusive | 96.3 |
| 116 to 140 both inclusive | 95.4 |
| 141 to 165 both inclusive | 94.8 |
| 166 to 195 both inclusive | 94.2 |
| 196 to 220 both inclusive | 93.5 |
| 221 to 245 both inclusive | 92.7 |
| 246 to 270 both inclusive | 92.0 |
| 271 to 450 both inclusive | 89.4 |
| 451 to 575 both inclusive | 86.7 |
| 576 to 700 both inclusive | 84.0 |
| 701 to 850 both inclusive | 82.4 |
| 851 to 1000 both inclusive | 80.8 |
| 1001 to 1200 both inclusive | 79.3 |
| 1201 to 1500 both inclusive | 76.6 |
| 1501 to 1700 both inclusive | 74.4 |
| 1701 to 2000 both inclusive | 73.3 |
| 2001 to 2200 both inclusive | 71.7 |
| 2201 to 2500 both inclusive | 70.2 |
| 2501 to 2700 both inclusive | 69.0 |
| 2701 to 4500 both inclusive | 64.4 |
| 4501 to 6000 both inclusive | 61.4 |
| 6001 to 7000 both inclusive | 58.9 |
| 7001 to 8000 both inclusive | 57.4 |

2. The 100 Year Flood Event Standard means rainfall or snowmelt, or a combination of rainfall and snowmelt producing at any location in a river, creek, stream or watercourse, a peak flow that has a probability of occurrence of one per cent during any given year.

3. The 100 year flood level means the peak instantaneous still water level plus an allowance for wave uprush and other water-related hazards for Lake Huron in the Great Lakes-St. Lawrence River System that has a probability of occurrence of one per cent during any given year.

Made by:

AUSABLE BAYFIELD CONSERVATION AUTHORITY:

Bill Weber
Chair

TOM B. PROUT
General Manager/Secretary-Treasurer

Date made: April 27, 2006.

I certify that I have approved this Regulation.

DAVID JAMES RAMSAY
Minister of Natural Resources

Date approved: May 2, 2006.

20/06

ONTARIO REGULATION 148/06
made under the
CONSERVATION AUTHORITIES ACT

Made: April 28, 2006
Approved: May 2, 2006
Filed: May 4, 2006
Published on e-Laws: May 8, 2006
Printed in *The Ontario Gazette*: May 20, 2006

**CATARAQUI REGION CONSERVATION AUTHORITY: REGULATION OF DEVELOPMENT,
INTERFERENCE WITH WETLANDS AND ALTERATIONS TO SHORELINES AND
WATERCOURSES**

Definition

1. In this Regulation,

“Authority” means the Cataraqui Region Conservation Authority.

Development prohibited

2. (1) Subject to section 3, no person shall undertake development, or permit another person to undertake development in or on the areas within the jurisdiction of the Authority that are,

- (a) adjacent or close to the shoreline of the Great Lakes-St. Lawrence River System or to inland lakes that may be affected by flooding, erosion or dynamic beaches, including the area from the furthest offshore extent of the Authority’s boundary to the furthest landward extent of the aggregate of the following distances:

- (i) the 100 year flood level, plus the appropriate allowance for wave uprush, shown in the column headed "100 Year Flood Limit" found in a Table entitled "Lake Ontario-St. Lawrence River Shoreline 100 Year Flood Level and Wave Uprush", November 2005 (a compilation of data contained in two reports, "Regulatory Shore Lands Limit A Study for the CRCA Shoreline (Anthony, 1993) and Shore Hazard Limits Erosion and Uprush (TSH, 2002)) or, in the case of Amherst Island, provided on a Figure entitled "Lake Ontario 100 Year Flood Level and Wave Uprush for the Amherst Island Shoreline", contained in "Amherst Island Flood Risk Information Report", November 2005, which information is available through the Authority at its head office located at 1641 Perth Road, Glenburnie, ON, K0H 1S0,
- (ii) the predicted long term stable slope projected from the existing stable toe of the slope or from the predicted location of the toe of the slope as that location may have shifted as a result of shoreline erosion over a 100-year period,
- (iii) where a dynamic beach is associated with the waterfront lands, a 30 metre allowance to accommodate dynamic beach movement,
- (iv) 15 metres inland;
- (b) river or stream valleys that have depressional features associated with a river or stream, whether or not they contain a watercourse, the limits of which are determined in accordance with the following rules:
 - (i) where the river or stream valley is apparent and has stable slopes, the valley extends from the stable top of bank, plus 15 metres, to a similar point on the opposite side,
 - (ii) where the river or stream valley is apparent and has unstable slopes, the valley extends from the predicted long term stable slope projected from the existing stable slope or, if the toe of the slope is unstable, from the predicted location of the toe of the slope as a result of stream erosion over a projected 100-year period, plus 15 metres, to a similar point on the opposite side,
 - (iii) where the river or stream valley is not apparent, the valley extends the greater of,
 - (A) the distance from a point outside the edge of the maximum extent of the flood plain under the applicable flood event standard, plus 15 metres, to a similar point on the opposite side, and
 - (B) the distance from the predicted meander belt of a watercourse, expanded as required to convey the flood flows under the applicable flood event standard, plus 15 metres, to a similar point on the opposite side;
- (c) hazardous lands;
- (d) wetlands; or
- (e) other areas,
 - (i) where development could interfere with the hydrologic function of a wetland, including areas within 120 metres of provincially significant wetlands and areas within 30 metres of all other wetlands, but not including those areas where development has been approved pursuant to an application made under the *Planning Act* or other public planning or regulatory process, or
 - (ii) that are affected by the calibrated 1996 Millhaven Creek Ice Hazard Event as outlined in "Millhaven Creek – Definition of Hazard Lines for Ice Jam Flooding" (J.D. Paine Engineering Inc., 1999) available at the head office of the Authority located at the address given in subclause (a) (i).

(2) The areas described in subsection (1) are the areas referred to in section 12 except that, in case of a conflict, the description of the areas provided in subsection (1) prevails over the descriptions referred to in that section.

Permission to develop

3. (1) The Authority may grant permission for development in or on the areas described in subsection 2 (1) if, in its opinion, the control of flooding, erosion, dynamic beaches, pollution or the conservation of land will not be affected by the development.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

4. A signed application for permission to undertake development shall be filed with the Authority and shall contain the following information:

1. Four copies of a plan of the area showing the type and location of the development.
2. The proposed use of the buildings and structures following completion of the development.
3. The start and completion dates of the development.
4. The elevations of existing buildings, if any, and grades and the proposed elevations of buildings and grades after development.
5. Drainage details before and after development.

6. A complete description of the type of fill proposed to be placed or dumped.

Alterations prohibited

5. Subject to section 6, no person shall straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse or change or interfere in any way with a wetland.

Permission to alter

6. (1) The Authority may grant a person permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or to change or interfere with a wetland.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

7. A signed application for permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or change or interfere with a wetland shall be filed with the Authority and shall contain the following information:

1. Four copies of a plan of the area showing plan view and cross-section details of the proposed alteration.
2. A description of the methods to be used in carrying out the alteration.
3. The start and completion dates of the alteration.
4. A statement of the purpose of the alteration.

Cancellation of permission

8. (1) The Authority may cancel a permission if it is of the opinion that the conditions of the permission have not been met.

(2) Before cancelling a permission, the Authority shall give a notice of intent to cancel to the holder of the permission indicating that the permission will be cancelled unless the holder shows cause at a hearing why the permission should not be cancelled.

(3) Following the giving of the notice, the Authority shall give the holder at least five days notice of the date of the hearing.

Validity of permissions and extensions

9. (1) A permission of the Authority is valid for a maximum period of 24 months after it is issued, unless it is specified to expire at an earlier date.

(2) A permission shall not be extended.

Appointment of officers

10. The Authority may appoint officers to enforce this Regulation.

Flood event standards

11. The applicable flood event standards used to determine the maximum susceptibility to flooding of lands or areas within the watersheds in the area of jurisdiction of the Authority are the 100 Year Flood Event Standard and the 100 year flood level plus wave uprush, described in Schedule 1.

Areas included in the Regulation Limit

12. Hazardous lands, wetlands, shorelines and areas susceptible to flooding, and associated allowances, within the watersheds in the area of jurisdiction of the Authority are delineated by the Regulation Limit shown on maps 1-130 dated November 2005 and filed at the head office of the Authority at 1641 Perth Road, Glenburnie, ON, K0H 1S0 under the map title "Ontario Regulation 97/04: Regulation for Development, Interference with Wetlands and Alterations to Shorelines and Watercourses".

Revocation

13. Regulation 143 of the Revised Regulations of Ontario, 1990 is revoked.

SCHEDULE 1

1. The 100 Year Flood Event Standard means rainfall or snowmelt, or a combination of rainfall and snowmelt, producing at any location in a river, creek, stream, watercourse or inland lake a peak flow that has the probability of occurrence of one per cent during any given year.

2. The 100 year flood level means the peak instantaneous still water level plus an allowance for wave and other water-related hazards for Lake Ontario and the St. Lawrence River in the Great Lakes-St. Lawrence River System that has a probability of occurrence of one per cent during any given year.

Made by:

CATARAQUI REGION CONSERVATION AUTHORITY:

JOHN F. CONLEY
Chair

STEPHEN KNECHTEL
General Manager/Secretary-Treasurer

Date made: April 28, 2006.

I certify that I have approved this Regulation.

DAVID JAMES RAMSAY
Minister of Natural Resources

Date approved: May 2, 2006.

20/06

ONTARIO REGULATION 149/06
made under the
CONSERVATION AUTHORITIES ACT

Made: April 26, 2006
Approved: May 4, 2006
Filed: May 4, 2006
Published on e-Laws: May 8, 2006
Printed in *The Ontario Gazette*: May 20, 2006

**MOIRA RIVER CONSERVATION AUTHORITY: REGULATION OF DEVELOPMENT,
INTERFERENCE WITH WETLANDS AND ALTERATIONS TO SHORELINES AND
WATERCOURSES**

Definition

1. In this Regulation,

“Authority” means the Moira River Conservation Authority.

Development prohibited

2. (1) Subject to section 3, no person shall undertake development, or permit another person to undertake development in or on the areas within the jurisdiction of the Authority that are,

- (a) adjacent or close to the shoreline of the Great Lakes-St. Lawrence River System or to inland lakes that may be affected by flooding, erosion or dynamic beaches, including the area from the furthest offshore extent of the Authority’s boundary to the furthest landward extent of the aggregate of the following distances:
 - (i) the 100 year flood level, plus the appropriate allowance in metres for wave uprush and, if necessary, an appropriate allowance in metres for other water related hazards, including ice piling and ice jamming,
 - (ii) the predicted long term stable slope projected from the existing stable toe of the slope or from the predicted location of the toe of the slope as that location may have shifted as a result of shoreline erosion over a 100-year period,
 - (iii) where a dynamic beach is associated with the waterfront lands, a 30 metre allowance inland to accommodate dynamic beach movement,
 - (iv) 15 metres inland;

- (b) river or stream valleys that have depressional features associated with a river or stream, whether or not they contain a watercourse, the limits of which are determined in accordance with the following rules:
 - (i) where the river or stream valley is apparent and has stable slopes, the valley extends from the stable top of bank, plus 15 metres, to a similar point on the opposite side,
 - (ii) where the river or stream valley is apparent and has unstable slopes, the valley extends from the predicted long term stable slope projected from the existing stable slope or, if the toe of the slope is unstable, from the predicted location of the toe of the slope as a result of stream erosion over a projected 100-year period, plus 15 metres, to a similar point on the opposite side,
 - (iii) where the river or stream valley is not apparent, the valley extends the greater of,
 - (A) the distance from a point outside the edge of the maximum extent of the flood plain under the applicable flood event standard, plus 15 metres, to a similar point on the opposite side, and
 - (B) the distance from the predicted meander belt of a watercourse, expanded as required to convey the flood flows under the applicable flood event standard, plus 15 metres, to a similar point on the opposite side;
- (c) hazardous lands;
- (d) wetlands; or
- (e) other areas where development could interfere with the hydrologic function of a wetland, including areas within 120 metres of all provincially significant wetlands and wetlands greater than 2 hectares in size, and areas within 30 metres of wetlands less than 2 hectares in size, but not including those where development has been approved pursuant to an application made under the *Planning Act* or other public planning or regulatory process.

(2) The areas described in subsection (1) are the areas referred to in section 12 except that, in case of a conflict, the description of the areas provided in subsection (1) prevails over the descriptions referred to in that section.

Permission to develop

3. (1) The Authority may grant permission for development in or on the areas described in subsection 2 (1) if, in its opinion, the control of flooding, erosion, dynamic beaches, pollution or the conservation of land will not be affected by the development.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

4. A signed application for permission to undertake development shall be filed with the Authority and shall contain the following information:

1. Four copies of a plan of the area showing the type and location of the development.
2. The proposed use of the buildings and structures following completion of the development.
3. The start and completion dates of the development.
4. The elevations of existing buildings, if any, and grades and the proposed elevations of buildings and grades after development.
5. Drainage details before and after development.
6. A complete description of the type of fill proposed to be placed or dumped.

Alterations prohibited

5. Subject to section 6, no person shall straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse or change or interfere in any way with a wetland.

Permission to alter

6. (1) The Authority may grant a person permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or to change or interfere with a wetland.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

7. A signed application for permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or change or interfere with a wetland shall be filed with the Authority and shall contain the following information:

1. Four copies of a plan of the area showing plan view and cross-section details of the proposed alteration.
2. A description of the methods to be used in carrying out the alteration.

3. The start and completion dates of the alteration.

4. A statement of the purpose of the alteration.

Cancellation of permission

8. (1) The Authority may cancel a permission if it is of the opinion that the conditions of the permission have not been met.

(2) Before cancelling a permission, the Authority shall give a notice of intent to cancel to the holder of the permission indicating that the permission will be cancelled unless the holder shows cause at a hearing why the permission should not be cancelled.

(3) Following the giving of the notice, the Authority shall give the holder at least five days notice of the date of the hearing.

Validity of permissions and extensions

9. (1) A permission of the Authority is valid for a maximum period of 24 months after it is issued, unless it is specified to expire at an earlier date.

(2) A permission shall not be extended.

Appointment of officers

10. The Authority may appoint officers to enforce this Regulation.

Flood event standards

11. The applicable flood event standards used to determine the maximum susceptibility to flooding of lands or areas within the watersheds in the area of jurisdiction of the Authority are the 100 Year Flood Event Standard and the 100 year flood level plus wave uprush, described in Schedule 1.

Areas included in the Regulation Limit

12. Hazardous lands, wetlands, shorelines and areas susceptible to flooding, and associated allowances, within the watersheds in the area of jurisdiction of the Authority are delineated by the Regulation Limit shown on maps 1 to 161 dated September 2005 and filed at the head office of the Authority at 2061 Old Highway # 2, Belleville, Ontario under the map title "Ontario Regulation 97/04: Regulation for Development, Interference with Wetlands and Alterations to Shorelines and Watercourses".

Revocation

13. Ontario Regulation 260/92 is revoked.

SCHEDULE 1

1. The 100 Year Flood Event Standard means rainfall or snowmelt, or a combination of rainfall and snowmelt producing at any location in a river, creek, stream or watercourse, a peak flow that has a probability of occurrence of one per cent during any given year.

2. The 100 year flood level means the peak instantaneous still water level plus an allowance for wave uprush and other water-related hazards for Lake Ontario in the Great Lakes-St. Lawrence River System, that has a probability of occurrence of one per cent during any given year.

Made by:

MOIRA RIVER CONSERVATION AUTHORITY:

TERRY MURPHY
General Manager

ROBERT SAGER
Chair

Date made: April 26, 2006.

I certify that I have approved this Regulation.

DAVID JAMES RAMSAY
Minister of Natural Resources

Date approved: May 4, 2006.

20/06

ONTARIO REGULATION 150/06
made under the
CONSERVATION AUTHORITIES ACT

Made: April 26, 2006
Approved: May 4, 2006
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**GRAND RIVER CONSERVATION AUTHORITY: REGULATION OF DEVELOPMENT,
INTERFERENCE WITH WETLANDS AND ALTERATIONS TO SHORELINES AND
WATERCOURSES**

Definition

1. In this Regulation,

“Authority” means the Grand River Conservation Authority.

Development prohibited

2. (1) Subject to section 3, no person shall undertake development, or permit another person to undertake development in or on the areas within the jurisdiction of the Authority that are,

(a) adjacent or close to the shoreline of the Great Lakes-St. Lawrence River System or to inland lakes that may be affected by flooding, erosion or dynamic beaches, including the area from the furthest offshore extent of the Authority’s boundary to the furthest landward extent of the aggregate of the following distances:

(i) the 100 year flood level, plus the appropriate allowance for wave uprush as specified in the Shoreline Management Plan for Lake Erie, Shoreplan Engineering 1994, which is available at or through the Authority at its head office located at 400 Clyde Road, Cambridge, Ontario,

(ii) the predicted long term stable slope projected from the existing stable toe of the slope or from the predicted location of the toe of the slope as that location may have shifted as a result of shoreline erosion over a 100-year period,

(iii) where a dynamic beach is associated with the waterfront lands, the appropriate allowance inland to accommodate dynamic beach movement as specified in the Shoreline Management Plan for Lake Erie, Shoreplan Engineering 1994, which is available at or through the Authority at the address given in subclause (i), and

(iv) 15 metres inland;

(b) river or stream valleys that have depressional features associated with a river or stream, whether or not they contain a watercourse, the limits of which are determined in accordance with the following rules:

(i) where the river or stream valley is apparent and has stable slopes, the valley extends from the stable top of bank, plus 15 metres, to a similar point on the opposite side,

(ii) where the river or stream valley is apparent and has unstable slopes, the valley extends from the predicted long term stable slope projected from the existing stable slope or, if the toe of the slope is unstable, from the predicted location of the toe of the slope as a result of stream erosion over a projected 100-year period, plus 15 metres, to a similar point on the opposite side,

(iii) where the river or stream valley is not apparent, the valley extends the greater of,

- (A) the distance from a point outside the edge of the maximum extent of the flood plain under the applicable flood event standard, plus an allowance not to exceed 15 metres, to a similar point on the opposite side, and
- (B) the distance from a watercourse or the predicted meander belt of a watercourse, expanded as required to convey the flood flows under the applicable flood event standard, plus 15 metres, to a similar point on the opposite side;

(c) hazardous lands;

(d) wetlands; or

(e) other areas where development could interfere with the hydrologic function of a wetland, including areas within 120 metres of all provincially significant wetlands and wetlands greater than or equal to 2.0 hectares in size, and areas within 30 metres of wetlands less than 2.0 hectares in size, but not including those where development has been approved pursuant to an application made under the Planning Act or other public planning or regulatory process.

(2) The areas described in subsection (1) are the areas referred to in section 12 except that, in case of a conflict, the description of the areas provided in subsection (1) prevails over the descriptions referred to in that section.

Permission to develop

3. (1) The Authority may grant permission for development in or on the areas described in subsection 2 (1) if, in its opinion, the control of flooding, erosion, dynamic beaches, pollution or the conservation of land will not be affected by the development.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

4. A signed application for permission to undertake development shall be filed with the Authority and shall contain the following information:

1. Four copies of a plan of the area showing the type and location of the development.
2. The proposed use of the buildings and structures following completion of the development.
3. The start and completion dates of the development.
4. The elevations of existing buildings, if any, and grades and the proposed elevations of buildings and grades after development.
5. Drainage details before and after development.
6. A complete description of the type of fill proposed to be placed or dumped.

Alterations prohibited

5. Subject to section 6, no person shall straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse or change or interfere in any way with a wetland.

Permission to alter

6. (1) The Authority may grant a person permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or to change or interfere with a wetland.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

7. A signed application for permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or change or interfere with a wetland shall be filed with the Authority and shall contain the following information:

1. Four copies of a plan of the area showing plan view and cross-section details of the proposed alteration.
2. A description of the methods to be used in carrying out the alteration.
3. The start and completion dates of the alteration.
4. A statement of the purpose of the alteration.

Cancellation of permission

8. (1) The Authority may cancel a permission if it is of the opinion that the conditions of the permission have not been met.

(2) Before cancelling a permission, the Authority shall give a notice of intent to cancel to the holder of the permission indicating that the permission will be cancelled unless the holder shows cause at a hearing why the permission should not be cancelled.

(3) Following the giving of the notice, the Authority shall give the holder at least five days notice of the date of the hearing.

Validity of permissions and extensions

9. (1) A permission of the Authority is valid for a maximum period of 24 months after it is issued, unless it is specified to expire at an earlier date.

(2) A permission shall not be extended.

Appointment of officers

10. The Authority may appoint officers to enforce this Regulation.

Flood event standards

11. The applicable flood event standards used to determine the maximum susceptibility to flooding of lands or areas within the watersheds in the area of jurisdiction of the Authority are the Hurricane Hazel Flood Event Standard, the 100 Year Flood Event Standard and the 100 year flood level plus wave uprush, described in Schedule 1.

Areas included in the Regulation Limit

12. Hazardous lands, wetlands, shorelines and areas susceptible to flooding, and associated allowances, within the watersheds in the area of jurisdiction of the Authority are delineated by the Regulation Limit shown on maps 1 to 242 dated May 2006 and filed at the head office of the Authority at 400 Clyde Road, Cambridge, Ontario under the map title "Ontario Regulation 97/04: Regulation for Development, Interference with Wetlands and Alterations to Shorelines and Watercourses".

Revocation

13. Regulation 149 of the Revised Regulations of Ontario, 1990 is revoked.

SCHEDULE 1

1. The Hurricane Hazel Flood Event Standard means a storm that produces over a 48-hour period,

- (a) in a drainage area of 25 square kilometres or less, rainfall that has the distribution set out in Table 1; or
- (b) in a drainage area of more than 25 square kilometres, rainfall such that the number of millimetres of rain referred to in each case in Table 1 shall be modified by the percentage amount shown in Column 2 of Table 2 opposite the size of the drainage area set out opposite thereto in Column 1 of Table 2.

TABLE 1

| |
|--|
| 73 millimetres of rain in the first 36 hours |
| 6 millimetres of rain in the 37th hour |
| 4 millimetres of rain in the 38th hour |
| 6 millimetres of rain in the 39th hour |
| 13 millimetres of rain in the 40th hour |
| 17 millimetres of rain in the 41st hour |
| 13 millimetres of rain in the 42nd hour |
| 23 millimetres of rain in the 43rd hour |
| 13 millimetres of rain in the 44th hour |
| 13 millimetres of rain in the 45th hour |
| 53 millimetres of rain in the 46th hour |
| 38 millimetres of rain in the 47th hour |
| 13 millimetres of rain in the 48th hour |

TABLE 2

| Column 1 | Column 2 |
|-----------------------------------|------------|
| Drainage Area (square kilometres) | Percentage |
| 26 to 45 both inclusive | 99.2 |
| 46 to 65 both inclusive | 98.2 |
| 66 to 90 both inclusive | 97.1 |
| 91 to 115 both inclusive | 96.3 |
| 116 to 140 both inclusive | 95.4 |
| 141 to 165 both inclusive | 94.8 |

| Column 1 | Column 2 |
|-----------------------------------|------------|
| Drainage Area (square kilometres) | Percentage |
| 166 to 195 both inclusive | 94.2 |
| 196 to 220 both inclusive | 93.5 |
| 221 to 245 both inclusive | 92.7 |
| 246 to 270 both inclusive | 92.0 |
| 271 to 450 both inclusive | 89.4 |
| 451 to 575 both inclusive | 86.7 |
| 576 to 700 both inclusive | 84.0 |
| 701 to 850 both inclusive | 82.4 |
| 851 to 1000 both inclusive | 80.8 |
| 1001 to 1200 both inclusive | 79.3 |
| 1201 to 1500 both inclusive | 76.6 |
| 1501 to 1700 both inclusive | 74.4 |
| 1701 to 2000 both inclusive | 73.3 |
| 2001 to 2200 both inclusive | 71.7 |
| 2201 to 2500 both inclusive | 70.2 |
| 2501 to 2700 both inclusive | 69.0 |
| 2701 to 4500 both inclusive | 64.4 |
| 4501 to 6000 both inclusive | 61.4 |
| 6001 to 7000 both inclusive | 58.9 |
| 7001 to 8000 both inclusive | 57.4 |

2. The 100 Year Flood Event Standard means rainfall or snowmelt, or a combination of rainfall and snowmelt, producing at any location in a river, creek, stream or watercourse a peak flow that has a probability of occurrence of one per cent during any given year.

3. The 100 year flood level means the peak instantaneous still water level plus an allowance for wave uprush and other water-related hazards for Lake Erie in the Great Lakes-St. Lawrence River System that has a probability of occurrence of one per cent during any given year.

Made by:

GRAND RIVER CONSERVATION AUTHORITY:

VIC PRENDERAST
2nd Vice-Chairman

KEITH MURCH
Secretary Treasurer

Date made: April 26, 2006.

I certify that I have approved this Regulation.

DAVID JAMES RAMSAY
Minister of Natural Resources

Date approved: May 4, 2006.

20/06

ONTARIO REGULATION 151/06
made under the
CONSERVATION AUTHORITIES ACT

Made: April 26, 2006
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**GREY SAUBLE CONSERVATION AUTHORITY: REGULATION OF DEVELOPMENT,
INTERFERENCE WITH WETLANDS AND ALTERATIONS TO SHORELINES AND
WATERCOURSES**

Definition

1. In this Regulation,

“Authority” means the Grey Sauble Conservation Authority.

Development prohibited

2. (1) Subject to section 3, no person shall undertake development, or permit another person to undertake development in or on the areas within the jurisdiction of the Authority that are,

- (a) adjacent or close to the shoreline of the Great Lakes-St. Lawrence River System or to inland lakes that may be affected by flooding, erosion or dynamic beaches, including the area from the furthest offshore extent of the Authority’s boundary to the furthest landward extent of the aggregate of the following distances:
 - (i) the 100 year flood level, plus the appropriate allowance for wave uprush,
 - (ii) the predicted long term stable slope projected from the existing stable toe of the slope or from the predicted location of the toe of the slope as that location may have shifted as a result of shoreline erosion over a 100-year period,
 - (iii) where a dynamic beach is associated with the waterfront lands, a 30 metre allowance inland to accommodate dynamic beach movement,
 - (iv) 15 metres inland;
- (b) river or stream valleys that have depressional features associated with a river or stream, whether or not they contain a watercourse, the limits of which are determined in accordance with the following rules:
 - (i) where the river or stream valley is apparent and has stable slopes, the valley extends from the stable top of bank, plus 15 metres, to a similar point on the opposite side,
 - (ii) where the river or stream valley is apparent and has unstable slopes, the valley extends from the predicted long term stable slope projected from the existing stable slope or, if the toe of the slope is unstable, from the predicted location of the toe of the slope as a result of stream erosion over a projected 100-year period, plus 15 metres, to a similar point on the opposite side,
 - (iii) where the river or stream valley is not apparent, the valley extends the greater of,
 - (A) the distance from a point outside the edge of the maximum extent of the flood plain under the applicable flood event standard, plus 15 metres, to a similar point on the opposite side, and
 - (B) the distance from the predicted meander belt of a watercourse, expanded as required to convey the flood flows under the applicable flood event standard, plus 15 metres, to a similar point on the opposite side;
- (c) hazardous lands;
- (d) wetlands; or
- (e) other areas where development could interfere with the hydrologic function of a wetland, including areas within 120 metres of all provincially significant wetlands, and areas within 30 metres of other wetlands, but not including those where development has been approved pursuant to an application made under the *Planning Act* or other public planning or regulatory process.

(2) The areas described in subsection (1) are the areas referred to in section 12 except that, in case of a conflict, the description of the areas provided in subsection (1) prevails over the descriptions referred to in that section.

Permission to develop

3. (1) The Authority may grant permission for development in or on the areas described in subsection 2 (1) if, in its opinion, the control of flooding, erosion, dynamic beaches, pollution or the conservation of land will not be affected by the development.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

4. A signed application for permission to undertake development shall be filed with the Authority and shall contain the following information:

1. Four copies of a plan of the area showing the type and location of the development.
2. The proposed use of the buildings and structures following completion of the development.
3. The start and completion dates of the development.
4. The elevations of existing buildings, if any, and grades and the proposed elevations of buildings and grades after development.
5. Drainage details before and after development.
6. A complete description of the type of fill proposed to be placed or dumped.

Alterations prohibited

5. Subject to section 6, no person shall straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse or change or interfere in any way with a wetland.

Permission to alter

6. (1) The Authority may grant a person permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or to change or interfere with a wetland.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

7. A signed application for permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or change or interfere with a wetland shall be filed with the Authority and shall contain the following information:

1. Four copies of a plan of the area showing plan view and cross-section details of the proposed alteration.
2. A description of the methods to be used in carrying out the alteration.
3. The start and completion dates of the alteration.
4. A statement of the purpose of the alteration.

Cancellation of permission

8. (1) The Authority may cancel a permission if it is of the opinion that the conditions of the permission have not been met.

(2) Before cancelling a permission, the Authority shall give a notice of intent to cancel to the holder of the permission indicating that the permission will be cancelled unless the holder shows cause at a hearing why the permission should not be cancelled.

(3) Following the giving of the notice, the Authority shall give the holder at least five days notice of the date of the hearing.

Validity of permissions and extensions

9. (1) A permission of the Authority is valid for a maximum period of 24 months after it is issued, unless it is specified to expire at an earlier date.

(2) A permission shall not be extended.

Appointment of officers

10. The Authority may appoint officers to enforce this Regulation.

Flood event standards

11. (1) The applicable flood event standards used to determine the maximum susceptibility to flooding of lands or areas within the watersheds in the area of jurisdiction of the Authority are the Timmins Flood Event Standard, the 100 Year Flood Event Standard and the 100 year flood level plus wave uprush, described in Schedule 1.

- (2) The Timmins Flood Event Standard applies to all watersheds within the area of jurisdiction of the Authority except for,
- (a) The Sauble River Watershed where the 100 Year Flood Event Standard applies.
- (b) Lake Huron and Georgian Bay in the Great Lakes-St. Lawrence System where the 100 year flood level plus wave uprush applies.

Areas included in the Regulation Limit

12. Hazardous lands, wetlands, shorelines and areas susceptible to flooding and associated allowances within the watersheds in the area of jurisdiction of the Authority are delineated by the Regulation Limit shown on maps 1-171 dated October, 2005 and filed at the head office of the Authority at 237897 Inglis Falls Road, R.R.#4, Owen Sound, Ontario under the map title "Ontario Regulation 97/04: Regulation for Development, Interference with Wetlands and Alterations to Shorelines and Watercourses".

Revocation

13. Ontario Regulation 416/94 is revoked.

SCHEDULE 1

1. The Timmins Flood Event Standard means a storm producing in a 12-hour period:
- (a) in a drainage area of 25 square kilometers or less, a rainfall that has a distribution set out in Table 1, or
- (b) In a drainage area of more than 25 square kilometers, a rainfall such that the number of millimeters of rain referred to in each case in Table 1 is modified by the percentage amount shown in column 2 of Table 2 opposite the size of the drainage area set out opposite thereto in Column 1 of Table 2.

TABLE 1

| |
|------------------------------------|
| 15 mm of rain in the first hour |
| 20 mm of rain in the second hour |
| 10 mm of rain in the third hour |
| 3 mm of rain in the fourth hour |
| 5 mm of rain in the fifth hour |
| 20 mm of rain in the sixth hour |
| 43 mm of rain in the seventh hour |
| 20 mm of rain in the eighth hour |
| 23 mm of rain in the ninth hour |
| 13 mm of rain in the tenth hour |
| 13 mm of rain in the eleventh hour |
| 8 mm of rain in the twelfth hour |

TABLE 2

| Column 1 | Column 2 |
|-----------------------------------|------------|
| Drainage Area (square kilometres) | Percentage |
| 26 to 50 both inclusive | 97 |
| 51 to 75 both inclusive | 94 |
| 76 to 100 both inclusive | 90 |
| 101 to 150 both inclusive | 87 |
| 151 to 200 both inclusive | 84 |
| 201 to 250 both inclusive | 82 |
| 251 to 375 both inclusive | 79 |
| 376 to 500 both inclusive | 76 |
| 501 to 750 both inclusive | 74 |
| 751 to 1000 both inclusive | 70 |
| 1001 to 1250 both inclusive | 68 |
| 1251 to 1500 both inclusive | 66 |
| 1501 to 1800 both inclusive | 65 |
| 1801 to 2100 both inclusive | 64 |
| 2101 to 2300 both inclusive | 63 |
| 2301 to 2600 both inclusive | 62 |
| 2601 to 3900 both inclusive | 58 |
| 3901 to 5200 both inclusive | 56 |
| 5201 to 6500 both inclusive | 53 |
| 6501 to 8000 both inclusive | 50 |

2. The 100 Year Flood Event Standard means the rainfall or snowmelt or the combination of rainfall and snowmelt, producing at any location in a river, creek, stream or watercourse, a peak flow that has the probability of occurrence of one per cent during any given year.

3. The 100 year flood level means the peak instantaneous still water level plus an allowance for wave uprush and other water related hazards that has the probability of occurrence of one per cent during any given year.

Made by:

GREY SAUBLE CONSERVATION AUTHORITY:

DICK HIBMA
Chair

JAMES MANICOM
Chief Admin. Officer

Date made: April 26, 2006.

I certify that I have approved this Regulation.

DAVID JAMES RAMSAY
Minister of Natural Resources

Date approved: May 4, 2006.

20/06

ONTARIO REGULATION 152/06

made under the

CONSERVATION AUTHORITIES ACT

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LOWER THAMES VALLEY CONSERVATION AUTHORITY: REGULATION OF DEVELOPMENT, INTERFERENCE WITH WETLANDS AND ALTERATIONS TO SHORELINES AND WATERCOURSES

Definition

1. In this Regulation,

“Authority” means the Lower Thames Valley Conservation Authority.

Development prohibited

2. (1) Subject to section 3, no person shall undertake development, or permit another person to undertake development in or on the areas within the jurisdiction of the Authority that are,

- (a) adjacent or close to the shoreline of the Great Lakes-St. Lawrence River System or to inland lakes that may be affected by flooding, erosion or dynamic beaches, including the area from the furthest offshore extent of the Authority’s boundary to the furthest landward extent of the aggregate of the following distances:

- (i) the 100 year flood level, plus the appropriate allowance for wave uprush,
 - (ii) the predicted long term stable slope projected from the existing stable toe of the slope or from the predicted location of the toe of the slope as that location may have shifted as a result of shoreline erosion over a 100-year period,
 - (iii) where a dynamic beach is associated with the waterfront lands, the appropriate allowance inland to accommodate dynamic beach movement, and
 - (iv) 15 metres inland;
- (b) river or stream valleys that have depressional features associated with a river or stream, whether or not they contain a watercourse, the limits of which are determined in accordance with the following rules:
- (i) where the river or stream valley is apparent and has stable slopes, the valley extends from the stable top of bank, plus 15 metres, to a similar point on the opposite side,
 - (ii) where the river or stream valley is apparent and has unstable slopes, the valley extends from the predicted long term stable slope projected from the existing stable slope or, if the toe of the slope is unstable, from the predicted location of the toe of the slope as a result of stream erosion over a projected 100-year period, plus 15 metres, to a similar point on the opposite side,
 - (iii) where the river or stream valley is not apparent, the valley extends the greater of,
 - (A) the distance from a point outside the edge of the maximum extent of the flood plain under the applicable flood event standard, plus 15 metres, to a similar point on the opposite side, and
 - (B) the distance from the predicted meander belt of a watercourse, expanded as required to convey the flood flows under the applicable flood event standard, plus 15 metres, to a similar point on the opposite side;
- (c) hazardous lands;
- (d) wetlands; or
- (e) other areas where development could interfere with the hydrologic function of a wetland, including areas within 120 metres of all provincially significant wetlands and 30 metres of other wetlands, but not including those where development has been approved pursuant to an application made under the *Planning Act* or other public planning or regulatory process.

(2) The areas described in subsection (1) are the areas referred to in section 12 except that, in case of a conflict, the description of the areas provided in subsection (1) prevails over the descriptions referred to in that section.

Permission to develop

3. (1) The Authority may grant permission for development in or on the areas described in subsection 2 (1) if, in its opinion, the control of flooding, erosion, dynamic beaches, pollution or the conservation of land will not be affected by the development.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

4. A signed application for permission to undertake development shall be filed with the Authority and shall contain the following information:

1. Four copies of a plan of the area showing the type and location of the development.
2. The proposed use of the buildings and structures following completion of the development.
3. The start and completion dates of the development.
4. The elevations of existing buildings, if any, and grades and the proposed elevations of buildings and grades after development.
5. Drainage details before and after development.
6. A complete description of the type of fill proposed to be placed or dumped.

Alterations prohibited

5. Subject to section 6, no person shall straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse or change or interfere in any way with a wetland.

Permission to alter

6. (1) The Authority may grant a person permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or to change or interfere with a wetland.

- (2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

7. A signed application for permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or change or interfere with a wetland shall be filed with the Authority and shall contain the following information:

1. Four copies of a plan of the area showing plan view and cross-section details of the proposed alteration.
2. A description of the methods to be used in carrying out the alteration.
3. The start and completion dates of the alteration.
4. A statement of the purpose of the alteration.

Cancellation of permission

8. (1) The Authority may cancel a permission if it is of the opinion that the conditions of the permission have not been met.

(2) Before cancelling a permission, the Authority shall give a notice of intent to cancel to the holder of the permission indicating that the permission will be cancelled unless the holder shows cause at a hearing why the permission should not be cancelled.

(3) Following the giving of the notice, the Authority shall give the holder at least five days notice of the date of the hearing.

Validity of permissions and extensions

9. (1) A permission of the Authority is valid for a maximum period of 24 months after it is issued, unless it is specified to expire at an earlier date.

(2) A permission shall not be extended.

Appointment of officers

10. The Authority may appoint officers to enforce this Regulation.

Flood event standards

11. The applicable flood event standards used to determine the maximum susceptibility to flooding of lands or areas within the watersheds in the area of jurisdiction of the Authority are the Regulatory Flood Event Standard and the 100 year flood level plus wave uprush, described in Schedule 1.

Areas included in the Regulation Limit

12. Hazardous lands, wetlands, shorelines and areas susceptible to flooding, and associated allowances, within the watersheds in the area of jurisdiction of the Authority are delineated by the Regulation Limit shown on maps numbered 1 to 128 dated May 2006 and filed at the head office of the Authority at 100 Thames Street, Chatham, Ontario under the map title "Ontario Regulation 97/04: Regulation for Development, Interference with Wetlands and Alterations to Shorelines and Watercourses".

Revocation

13. Regulation 155 of the Revised Regulations of Ontario, 1990 is revoked.

SCHEDULE 1

1. The Regulatory Flood Event Standard within the Lower Thames Valley Conservation Authority is as follows:

1. An observed flood event based on the 1937 flood on the Thames River.

2. This event is equivalent to the combination of events that caused the flood event on the Thames River in April of 1937. The Regulatory Flood on the Thames River is equivalent to a flow of 1,540 cubic metres per second (cms) commencing at Delaware and proportionately reducing until 1,160 cms at Thamesville and 1,125 cms at Chatham. The 1937 flood event is estimated to be equivalent to a 1 in 250 year return flood.

2. The 100 year flood level means the peak instantaneous still water level plus an allowance for wave uprush and other water-related hazards that has a probability of occurrence of one per cent during any given year.

Made by:

LOWER THAMES VALLEY CONSERVATION AUTHORITY:

BRIAN KING
Chairman

JERRY G. CAMPBELL
Secretary-Treasurer/General Manager

Date made: April 25, 2006.

I certify that I have approved this Regulation.

DAVID JAMES RAMSAY
Minister of Natural Resources

Date approved: May 4, 2006.

20/06

ONTARIO REGULATION 153/06
made under the
CONSERVATION AUTHORITIES ACT

Made: April 28, 2006
Approved: May 4, 2006
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Printed in *The Ontario Gazette*: May 20, 2006

**MISSISSIPPI VALLEY CONSERVATION AUTHORITY: REGULATION OF DEVELOPMENT,
INTERFERENCE WITH WETLANDS AND ALTERATIONS TO SHORELINES AND
WATERCOURSES**

Definition

1. (1) In this Regulation,

“Authority” means the Mississippi Valley Conservation Authority.

Development prohibited

2. (1) Subject to section 3, no person shall undertake development, or permit another person to undertake development in or on the areas within the jurisdiction of the Authority that are,

- (a) river or stream valleys that have depressional features associated with a river or stream, whether or not they contain a watercourse, the limits of which are determined in accordance with the following rules:
- (i) where the river or stream valley is apparent and has stable slopes, the valley extends from the stable top of bank, plus 15 metres, to a similar point on the opposite side,
 - (ii) where the river or stream valley is apparent and has unstable slopes, the valley extends from the predicted long term stable slope projected from the existing stable slope or, if the toe of the slope is unstable, from the predicted location of the toe of the slope as a result of stream erosion over a projected 100 year period, plus 15 metres, to a similar point on the opposite side;

(iii) where the river or stream valley is not apparent, the valley extends the greater of,

(A) the distance from a point outside the edge of the maximum extent of the flood plain under the applicable flood event standard, plus 15 metres, to a similar point on the opposite side, and

(B) the distance from the predicted meander belt of a watercourse, expanded as required to convey the flood flows under the applicable flood event standard, plus 15 metres, to a similar point on the opposite side;

(c) hazardous lands;

(d) wetlands; or

(e) other areas where development could interfere with the hydrologic function of a wetland, including areas within 120 metres of all provincially significant wetlands and areas within 30 metres of other wetlands, but not including those where development has been approved pursuant to an application made under the *Planning Act* or other public planning or regulatory process.

(2) The areas described in subsection (1) are the areas referred to in section 12 except that, in case of a conflict, the description of the areas provided in subsection (1) prevails over the descriptions referred to in that section.

Permission to develop

3. (1) The Authority may grant permission for development in or on the areas described in subsection 2 (1) if, in its opinion, the control of flooding, erosion, pollution or the conservation of land will not be affected by the development.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

4. A signed application for permission to undertake development shall be filed with the Authority and shall contain the following information:

1. Four copies of a plan of the area showing the type and location of the development.
2. The proposed use of the buildings and structures following completion of the development.
3. The start and completion dates of the development.
4. The elevations of existing buildings, if any, and grades and the proposed elevations of buildings and grades after development.
5. Drainage details before and after development.
6. A complete description of the type of fill proposed to be placed or dumped.

Alterations prohibited

5. Subject to section 6, no person shall straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse or change or interfere in any way with a wetland.

Permission to alter

6. (1) The Authority may grant a person permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or to change or interfere with a wetland.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

7. A signed application for permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or change or interfere with a wetland shall be filed with the Authority and shall contain the following information:

1. Four copies of a plan of the area showing plan view and cross-section details of the proposed alteration.
2. A description of the methods to be used in carrying out the alteration.
3. The start and completion dates of the alteration.
4. A statement of the purpose of the alteration.

Cancellation of permission

8. (1) The Authority may cancel a permission if it is of the opinion that the conditions of the permission have not been met.

(2) Before cancelling a permission, the Authority shall give a notice of intent to cancel to the holder of the permission indicating that the permission will be cancelled unless the holder shows cause at a hearing why the permission should not be cancelled.

(3) Following the giving of the notice, the Authority shall give the holder at least five days notice of the date of the hearing.

Validity of permissions and extensions

9. (1) A permission of the Authority is valid for a maximum period of 24 months after it is issued, unless it is specified to expire at an earlier date.

(2) A permission shall not be extended.

Appointment of officers

10. The Authority may appoint officers to enforce this Regulation.

Flood event standard

11. The applicable flood event standard used to determine the maximum susceptibility to flooding of lands or areas within the watersheds in the area of jurisdiction of the Authority is the 100 Year Flood Event Standard, described in Schedule 1.

Areas included in the Regulation Limit

12. Hazardous lands, wetlands, shorelines and areas susceptible to flooding within the watersheds in the area of jurisdiction of the Authority are delineated by the Regulation Limit shown on maps 1 to 229 dated November 10, 2005 and filed at the head office of the Authority at 4175 Highway 511, Lanark, Ontario under the map title "Ontario Regulation 97/04: Regulation for Development, Interference with Wetlands and Alterations to Shorelines and Watercourses".

Revocation

13. Regulation 159 of the Revised Regulations of Ontario, 1990 is revoked.

SCHEDULE 1

1. The 100 Year Flood Event Standard means rainfall or snowmelt, or a combination of rainfall and snowmelt, producing at any location in a river, creek, stream or watercourse a peak flow that has a probability of occurrence of one per cent during any given year.

Made by:

MISSISSIPPI VALLEY CONSERVATION AUTHORITY:

MARK BURNHAM
Chairman

PAUL LEHMAN
General Manager

Date made: April 28, 2006.

I certify that I have approved this Regulation.

DAVID JAMES RAMSAY
Minister of Natural Resources

Date approved: May 4, 2006.

20/06

ONTARIO REGULATION 154/06

made under the

CONSERVATION AUTHORITIES ACT

Made: April 27, 2006

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NAPANEE REGION CONSERVATION AUTHORITY: REGULATION OF DEVELOPMENT, INTERFERENCE WITH WETLANDS AND ALTERATIONS TO SHORELINES AND WATERCOURSES

Definition

1. In this Regulation,

“Authority” means the Napanee Region Conservation Authority.

Development prohibited

2. (1) Subject to section 3, no person shall undertake development, or permit another person to undertake development in or on the areas within the jurisdiction of the Authority that are,

- (a) adjacent or close to the shoreline of the Great Lakes-St. Lawrence River System or to inland lakes that may be affected by flooding, erosion or dynamic beaches, including the area from the furthest offshore extent of the Authority’s boundary to the furthest landward extent of the aggregate of the following distances:
 - (i) the 100 year flood level, plus the appropriate allowance in metres for wave uprush and, if necessary, an appropriate allowance in metres for other water related hazards, including ice piling and ice jamming,
 - (ii) the predicted long term stable slope projected from the existing stable toe of the slope or from the predicted location of the toe of the slope as that location may have shifted as a result of shoreline erosion over a 100-year period,
 - (iii) where a dynamic beach is associated with the waterfront lands, a 30 metre allowance inland to accommodate dynamic beach movement,
 - (iv) 15 metres inland;
- (b) river or stream valleys that have depressional features associated with a river or stream, whether or not they contain a watercourse, the limits of which are determined in accordance with the following rules:
 - (i) where the river or stream valley is apparent and has stable slopes, the valley extends from the stable top of bank, plus 15 metres, to a similar point on the opposite side,
 - (ii) where the river or stream valley is apparent and has unstable slopes, the valley extends from the predicted long term stable slope projected from the existing stable slope or, if the toe of the slope is unstable, from the predicted location of the toe of the slope as a result of stream erosion over a projected 100 year period, plus 15 metres, to a similar point on the opposite side,
 - (iii) where the river or stream valley is not apparent, the valley extends the greater of,
 - (A) the distance from a point outside the edge of the maximum extent of the flood plain under the applicable flood event standard, plus 15 metres, to a similar point on the opposite side, and
 - (B) the distance from the predicted meander belt of a watercourse, expanded as required to convey the flood flows under the applicable flood event standard, plus 15 metres, to a similar point on the opposite side;
- (c) hazardous lands;
- (d) wetlands; or
- (e) other areas where development could interfere with the hydrologic function of a wetland, including areas within 120 metres of all provincially significant wetlands and wetlands greater than 2 hectares in size, and areas within 30 metres of wetlands less than 2 hectares in size, but not including those where development has been approved pursuant to an application made under the *Planning Act* or other public planning or regulatory process.

(2) The areas described in subsection (1) are the areas referred to in section 12 except that, in case of a conflict, the description of the areas provided in subsection (1) prevails over the descriptions referred to in that section.

Permission to develop

3. (1) The Authority may grant permission for development in or on the areas described in subsection 2 (1) if, in its opinion, the control of flooding, erosion, dynamic beaches, pollution or the conservation of land will not be affected by the development.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

4. A signed application for permission to undertake development shall be filed with the Authority and shall contain the following information:

1. Four copies of a plan of the area showing the type and location of the development.
2. The proposed use of the buildings and structures following completion of the development.
3. The start and completion dates of the development.
4. The elevations of existing buildings, if any, and grades and the proposed elevations of buildings and grades after development.
5. Drainage details before and after development.
6. A complete description of the type of fill proposed to be placed or dumped.

Alterations prohibited

5. Subject to section 6, no person shall straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse or change or interfere in any way with a wetland.

Permission to alter

6. (1) The Authority may grant a person permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or to change or interfere with a wetland.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

7. A signed application for permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or change or interfere with a wetland shall be filed with the Authority and shall contain the following information:

1. Four copies of a plan of the area showing plan view and cross-section details of the proposed alteration.
2. A description of the methods to be used in carrying out the alteration.
3. The start and completion dates of the alteration.
4. A statement of the purpose of the alteration.

Cancellation of permission

8. (1) The Authority may cancel a permission if it is of the opinion that the conditions of the permission have not been met.

(2) Before cancelling a permission, the Authority shall give a notice of intent to cancel to the holder of the permission indicating that the permission will be cancelled unless the holder shows cause at a hearing why the permission should not be cancelled.

(3) Following the giving of the notice, the Authority shall give the holder at least five days notice of the date of the hearing.

Validity of permissions and extensions

9. (1) A permission of the Authority is valid for a maximum period of 24 months after it is issued, unless it is specified to expire at an earlier date.

(2) A permission shall not be extended.

Appointment of officers

10. The Authority may appoint officers to enforce this Regulation.

Flood event standards

11. The applicable flood event standards used to determine the maximum susceptibility to flooding of lands or areas within the watersheds in the area of jurisdiction of the Authority are the 100 Year Flood Event Standard and the 100 year flood level plus wave uprush, described in Schedule 1.

Areas included in the Regulation Limit

12. Hazardous lands, wetlands, shorelines and areas susceptible to flooding, and associated allowances, within the watersheds in the area of jurisdiction of the Authority are delineated by the Regulation Limit shown on maps 1 to 120 dated September 2005 and filed at the head office of the Authority at 2061 Old Highway # 2, Belleville, Ontario under the map title "Ontario Regulation 97/04: Regulation for Development, Interference with Wetlands and Alterations to Shorelines and Watercourses".

Revocation

13. Regulation 160 of the Revised Regulations of Ontario, 1990 is revoked.

SCHEDULE 1

1. The 100 Year Flood Event Standard means rainfall or snowmelt, or a combination of rainfall and snowmelt producing at any location in a river, creek, stream or watercourse, a peak flow that has a probability of occurrence of one per cent during any given year.

2. The 100 year flood level means the peak instantaneous still water level plus an allowance for wave uprush and other water-related hazards for Lake Ontario in the Great Lakes-St. Lawrence River System, that has a probability of occurrence of one per cent during any given year.

Made by:

NAPANEE REGION CONSERVATION AUTHORITY:

TERRY MURPHY
General Manager

JACK NICOLSON
Chair

Date made: April 27, 2006.

I certify that I have approved this Regulation.

DAVID JAMES RAMSAY
Minister of Natural Resources

Date approved: May 4, 2006.

20/06

ONTARIO REGULATION 155/06

made under the

CONSERVATION AUTHORITIES ACT

Made: April 24, 2006

Approved: May 4, 2006

Filed: May 4, 2006

Published on e-Laws: May 8, 2006

Printed in *The Ontario Gazette*: May 20, 2006**NIAGARA PENINSULA CONSERVATION AUTHORITY: REGULATION OF DEVELOPMENT,
INTERFERENCE WITH WETLANDS AND ALTERATIONS TO SHORELINES AND
WATERCOURSES****Definition**

1. In this Regulation,

“Authority” means the Niagara Peninsula Conservation Authority.

Development prohibited

2. (1) Subject to section 3, no person shall undertake development, or permit another person to undertake development in or on the areas within the jurisdiction of the Authority that are,

- (a) adjacent or close to the shoreline of the Great Lakes-St. Lawrence River System or to inland lakes that may be affected by flooding, erosion or dynamic beaches, including the area from the furthest offshore extent of the Authority’s boundary to the furthest landward extent of the aggregate of the following distances:
 - (i) the 100 year flood level, plus the appropriate allowance for wave uprush shown in the column headed “100 Year Flood Limit” found in Table 3 of the document entitled “Lake Ontario Shoreline Management Plan”, January 1994, which is available at or through the Authority at its head office located at 250 Thorold Road West, Welland, Ontario, L3C 3W2,
 - (ii) the 100 year flood level, plus the appropriate allowance for wave uprush shown in the column headed “100 Year Flood Limit” found in Section 3.2 of the document entitled “Lake Erie Shoreline Management Plan”, June 1992, which is available at or through the Authority at its head office located at 250 Thorold Road West, Welland, Ontario, L3C 3W2,
 - (iii) the predicted long term stable slope projected from the existing stable toe of the slope or from the predicted location of the toe of the slope as that location may have shifted as a result of shoreline erosion over a 100-year period,
 - (iv) where a dynamic beach is associated with the waterfront lands, the appropriate allowance inland to accommodate dynamic beach movement shown in Section 4.4 of the document entitled “Lake Ontario Shoreline Management Plan”, January 1994, which is available at or through the Authority at the address given in subclause (i), and
 - (v) where a dynamic beach is associated with the waterfront lands, the appropriate allowance inland to accommodate dynamic beach movement shown in Section 3.8.2 iii) of the document entitled “Lake Erie Shoreline Management Plan”, June 1992, which is available at or through the Authority at the address given in subclause (ii);
- (b) river or stream valleys that have depressional features associated with a river or stream, whether or not they contain a watercourse, the limits of which are determined in accordance with the following rules:
 - (i) where the river or stream valley is apparent and has stable slopes, the valley extends from the stable top of bank, plus 15 metres, to a similar point on the opposite side,
 - (ii) where the river or stream valley is apparent and has unstable slopes, the valley extends from the predicted long term stable slope projected from the existing stable slope or, if the toe of the slope is unstable, from the predicted location of the toe of the slope as a result of stream erosion over a projected 100-year period, plus 15 metres, to a similar point on the opposite side,
 - (iii) where the river or stream valley is not apparent, the valley extends the greater of,
 - (A) the distance from a point outside the edge of the maximum extent of the flood plain under the applicable flood event standard, to a similar point on the opposite side, and
 - (B) the distance of a predicted meander belt of a watercourse, expanded as required to convey the flood flows under the applicable flood standard, to a similar point on the opposite side;
- (c) hazardous lands;

- (d) wetlands; or
- (e) other areas where development could interfere with the hydrologic function of a wetland, including areas up to 120 metres of all provincially significant wetlands and wetlands greater than 2 hectares in size, and areas within 30 metres of wetlands less than 2 hectares in size, but not including those where development has been approved pursuant to an application made under the *Planning Act* or other public planning or regulatory process.

(2) The areas described in subsection (1) are the areas referred to in section 12 except that, in case of a conflict, the description of the areas provided in subsection (1) prevails over the descriptions referred to in that section.

Permission to develop

3. (1) The Authority may grant permission for development in or on the areas described in subsection 2 (1) if, in its opinion, the control of flooding, erosion, dynamic beaches, pollution or the conservation of land will not be affected by the development.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

4. A signed application for permission to undertake development shall be filed with the Authority and shall contain the following information:

- 1. Four copies of a plan of the area showing the type and location of the development.
- 2. The proposed use of the buildings and structures following completion of the development.
- 3. The start and completion dates of the development.
- 4. The elevations of existing buildings, if any, and grades and the proposed elevations of buildings and grades after development.
- 5. Drainage details before and after development.
- 6. A complete description of the type of fill proposed to be placed or dumped.

Alterations prohibited

5. Subject to section 6, no person shall straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse or change or interfere in any way with a wetland.

Permission to alter

6. (1) The Authority may grant a person permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or to change or interfere with a wetland.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

7. A signed application for permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or change or interfere with a wetland shall be filed with the Authority and shall contain the following information:

- 1. Four copies of a plan of the area showing plan view and cross-section details of the proposed alteration.
- 2. A description of the methods to be used in carrying out the alteration.
- 3. The start and completion dates of the alteration.
- 4. A statement of the purpose of the alteration.

Cancellation of permission

8. (1) The Authority may cancel a permission if it is of the opinion that the conditions of the permission have not been met.

(2) Before cancelling a permission, the Authority shall give a notice of intent to cancel to the holder of the permission indicating that the permission will be cancelled unless the holder shows cause at a hearing why the permission should not be cancelled.

(3) Following the giving of the notice, the Authority shall give the holder at least five days notice of the date of the hearing.

Validity of permissions and extensions

9. (1) A permission of the Authority is valid for a maximum period of 24 months after it is issued, unless it is specified to expire at an earlier date.

(2) A permission shall not be extended.

Appointment of officers

10. The Authority may appoint officers to enforce this Regulation.

Flood event standards

11. (1) The applicable flood event standards used to determine the maximum susceptibility to flooding of lands or areas within the watersheds in the area of jurisdiction of the Authority are the Hurricane Hazel Flood Event Standard, the 100 Year Flood Event Standard and the 100 year flood level plus wave uprush, described in Schedule 1.

(2) The 100 Year Flood Event Standard applies to all watersheds within the area of jurisdiction of the Authority except for,

- (a) the watersheds associated with Shriner's Creek, Ten Mile Creek and Beaverdams Creek (including Tributary W-6-5) in the City of Niagara Falls where the Hurricane Hazel Flood Event Standard applies; and
- (b) Lake Ontario and Lake Erie in the Great Lakes-St. Lawrence River System, as described in the Schedule, where the 100 Year Flood Event Standard, plus wave uprush, applies.

Areas included in the Regulation Limit

12. Hazardous lands, wetlands, shorelines and areas susceptible to flooding, and associated allowances, within the watersheds in the area of jurisdiction of the Authority are delineated by the Regulation Limit shown on maps 1 to 125 dated February 2006 and filed at the head office of the Authority at 250 Thorold Road West, Welland, Ontario under the map title "Ontario Regulation 97/04: Regulation for Development, Interference with Wetlands and Alterations to Shorelines and Watercourses".

Revocation

13. Ontario Regulation 99/91 is revoked.

SCHEDULE 1

1. The Hurricane Hazel Storm Event Standard means a storm that produces over a 48-hour period,
- (a) in a drainage area of 25 square kilometres or less, rainfall that has the distribution set out in Table 1; or
 - (b) in a drainage area of more than 25 square kilometres, rainfall such that the number of millimetres of rain referred to in each case in Table 1 shall be modified by the percentage amount shown in Column 2 of Table 2 opposite the size of the drainage area set out opposite thereto in Column 1 of Table 2.

TABLE 1

| |
|--|
| 73 millimetres of rain in the first 36 hours |
| 6 millimetres of rain in the 37th hour |
| 4 millimetres of rain in the 38th hour |
| 6 millimetres of rain in the 39th hour |
| 13 millimetres of rain in the 40th hour |
| 17 millimetres of rain in the 41st hour |
| 13 millimetres of rain in the 42nd hour |
| 23 millimetres of rain in the 43rd hour |
| 13 millimetres of rain in the 44th hour |
| 13 millimetres of rain in the 45th hour |
| 53 millimetres of rain in the 46th hour |
| 38 millimetres of rain in the 47th hour |
| 13 millimetres of rain in the 48th hour |

TABLE 2

| Column 1 | Column 2 |
|-----------------------------------|------------|
| Drainage Area (square kilometres) | Percentage |
| 26 to 45 both inclusive | 99.2 |
| 46 to 65 both inclusive | 98.2 |
| 66 to 90 both inclusive | 97.1 |
| 91 to 115 both inclusive | 96.3 |
| 116 to 140 both inclusive | 95.4 |
| 141 to 165 both inclusive | 94.8 |
| 166 to 195 both inclusive | 94.2 |

| Column 1 | Column 2 |
|-----------------------------------|------------|
| Drainage Area (square kilometres) | Percentage |
| 196 to 220 both inclusive | 93.5 |
| 221 to 245 both inclusive | 92.7 |
| 246 to 270 both inclusive | 92.0 |
| 271 to 450 both inclusive | 89.4 |
| 451 to 575 both inclusive | 86.7 |
| 576 to 700 both inclusive | 84.0 |
| 701 to 850 both inclusive | 82.4 |
| 851 to 1000 both inclusive | 80.8 |
| 1001 to 1200 both inclusive | 79.3 |
| 1201 to 1500 both inclusive | 76.6 |
| 1501 to 1700 both inclusive | 74.4 |
| 1701 to 2000 both inclusive | 73.3 |
| 2001 to 2200 both inclusive | 71.7 |
| 2201 to 2500 both inclusive | 70.2 |
| 2501 to 2700 both inclusive | 69.0 |
| 2701 to 4500 both inclusive | 64.4 |
| 4501 to 6000 both inclusive | 61.4 |
| 6001 to 7000 both inclusive | 58.9 |
| 7001 to 8000 both inclusive | 57.4 |

2. The 100 Year Flood Event Standard means rainfall or snowmelt, or a combination of rainfall and snowmelt, producing at any location in a river, creek, stream or watercourse a peak flow that has a probability of occurrence of one per cent during any given year.

3. The 100 year flood level means the peak instantaneous still water level plus an allowance for wave uprush and other water-related hazards for Lake Ontario and Lake Erie in the Great Lakes-St. Lawrence River System that has a probability of occurrence of one per cent during any given year.

Made by:

NIAGARA PENINSULA CONSERVATION AUTHORITY:

GORD HARRY
Chairman

ANDREW L. BURT
General Manager/Secretary-Treasurer

Date made: April 24, 2006.

I certify that I have approved this Regulation.

DAVID JAMES RAMSAY
Minister of Natural Resources

Date approved: May 4, 2006.

20/06

ONTARIO REGULATION 156/06
made under the
CONSERVATION AUTHORITIES ACT

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**NICKEL DISTRICT CONSERVATION AUTHORITY: REGULATION OF DEVELOPMENT,
INTERFERENCE WITH WETLANDS AND ALTERATIONS TO SHORELINES AND
WATERCOURSES**

Definition

1. In this Regulation,

“Authority” means the Nickel District Conservation Authority.

Development prohibited

2. (1) Subject to section 3, no person shall undertake development, or permit another person to undertake development in or on the areas within the jurisdiction of the Authority that are,

(a) adjacent or close to the shoreline of inland lakes that may be affected by flooding, erosion or dynamic beaches to the furthest landward extent of the aggregate of the following distances:

- (i) for Wanapitei Lake, Ontario Power Generation’s maximum flood allowance elevation plus allowances for wave uprush and other water related hazards,
- (ii) the predicted long term stable slope projected from the existing stable toe of the slope or from the predicted location of the toe of the slope as that location may have shifted as a result of shoreline erosion over a 100-year period,
- (iii) where a dynamic beach is associated with the waterfront lands, a 15 metre allowance inland to accommodate dynamic beach movement,
- (iv) 15 metres inland;

(b) river or stream valleys that have depressional features associated with a river or stream, whether or not they contain a watercourse, the limits of which are determined in accordance with the following rules:

- (i) where the river or stream valley is apparent and has stable slopes, the valley extends from the stable top of bank, plus 15 metres, to a similar point on the opposite side,
- (ii) where the river or stream valley is apparent and has unstable slopes, the valley extends from the predicted long term stable slope projected from the existing stable slope or, if the toe of the slope is unstable, from the predicted location of the toe of the slope as a result of stream erosion over a projected 100-year period, plus 15 metres, to a similar point on the opposite side,
- (iii) where the river or stream valley is not apparent, the valley extends the greater of,
 - (A) the distance from a point outside the edge of the maximum extent of the flood plain under the applicable flood event standard, plus 15 metres, to a similar point on the opposite side, and
 - (B) the distance from the predicted meander belt of a watercourse, expanded as required to convey the flood flows under the applicable flood event standard, plus 15 metres, to a similar point on the opposite side;

(c) hazardous lands;

(d) wetlands; or

(e) other areas where development could interfere with the hydrologic function of a wetland, including areas within 120 metres of all provincially significant wetlands and wetlands greater than 2 hectares in size, and areas within 30 metres of wetlands less than 2 hectares in size, but not including those where development has been approved pursuant to an application made under the *Planning Act* or other public planning or regulatory process.

(2) The areas described in subsection (1) are the areas referred to in section 12 except that, in case of a conflict, the description of the areas provided in subsection (1) prevails over the descriptions referred to in that section.

Permission to develop

3. (1) The Authority may grant permission for development in or on the areas described in subsection 2 (1) if, in its opinion, the control of flooding, erosion, dynamic beaches, pollution or the conservation of land will not be affected by the development.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

4. A signed application for permission to undertake development shall be filed with the Authority and shall contain the following information:

1. Four copies of a plan of the area showing the type and location of the development.
2. The proposed use of the buildings and structures following completion of the development.
3. The start and completion dates of the development.
4. The elevations of existing buildings, if any, and grades and the proposed elevations of buildings and grades after development.
5. Drainage details before and after development.
6. A complete description of the type of fill proposed to be placed or dumped.

Alterations prohibited

5. Subject to section 6, no person shall straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse or change or interfere in any way with a wetland.

Permission to alter

6. (1) The Authority may grant a person permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or to change or interfere with a wetland.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

7. A signed application for permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or change or interfere with a wetland shall be filed with the Authority and shall contain the following information:

1. Four copies of a plan of the area showing plan view and cross-section details of the proposed alteration.
2. A description of the methods to be used in carrying out the alteration.
3. The start and completion dates of the alteration.
4. Statement of the purpose of the alteration.

Cancellation of permission

8. (1) The Authority may cancel a permission if it is of the opinion that the conditions of the permission have not been met.

(2) Before cancelling a permission, the Authority shall give a notice of intent to cancel to the holder of the permission indicating that the permission will be cancelled unless the holder shows cause at a hearing why the permission should not be cancelled.

(3) Following the giving of the notice, the Authority shall give the holder at least five days notice of the date of the hearing.

Validity of permissions and extensions

9. (1) A permission of the Authority is valid for a maximum period of 24 months after it is issued, unless it is specified to expire at an earlier date.

(2) A permission shall not be extended.

Appointment of officers

10. The Authority may appoint officers to enforce this Regulation.

Flood event standards

11. (1) The applicable flood event standards used to determine the maximum susceptibility to flooding of lands or areas within the watersheds in the area of jurisdiction of the Authority are the Timmins Flood Event Standard and the 100 Year Flood Event Standard described in Schedule 1.

(2) The standards in section (1) apply to all watersheds within the area of jurisdiction of the Authority except for Wanapitei Lake where the maximum flood allowance elevation of 267.95 metres Canadian Geodetic Datum (in accordance with Ontario Power Generation's Licence of Occupation Agreement #6168) applies.

Areas included in the Regulation Limit

12. Hazardous lands, wetlands, shorelines and areas susceptible to flooding, and associated allowances, within the watersheds in the area of jurisdiction of the Authority are delineated by the Regulation Limit shown on maps 1 to 107 dated January 2006 and filed at the head office of the Authority at 200 Brady Street, Sudbury, Ontario under the map title "Ontario Regulation 97/04: Nickel District Conservation Authority: Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses".

Revocation

13. Regulation 161 of the Revised Regulations of Ontario, 1990 is revoked.

SCHEDULE 1

1. The Timmins Flood Event Standard means a storm producing in a 12-hour period, in a drainage area of,

- (a) 25 square kilometres or less, a rainfall that has the distribution set out in Table 1, or
- (b) more than 25 square kilometres, a rainfall such that the number of millimetres of rain referred to in each case in Table 1 shall be modified by the percentage amount shown in Column 2 of Table 2 opposite the size of the drainage area set out opposite thereto in Column 1 of Table 2:

TABLE 1

| |
|------------------------------------|
| 15 mm of rain the first hour |
| 20 mm of rain in the second hour |
| 10 mm of rain in the third hour |
| 3 mm of rain in the fourth hour |
| 5 mm of rain in the fifth hour |
| 20 mm of rain in the sixth hour |
| 43 mm of rain in the seventh hour |
| 20 mm of rain in the eighth hour |
| 23 mm of rain in the ninth hour |
| 13 mm of rain in the tenth hour |
| 13 mm of rain in the eleventh hour |
| 8 mm of rain in the twelfth hour |

TABLE 2

| Column 1 | Column 2 |
|---|------------|
| Drainage Area (in square kilometres) | Percentage |
| 26 to 50 both inclusive | 97 |
| 51 to 75 both inclusive | 94 |
| 76 to 100 both inclusive | 90 |
| 101 to 150 both inclusive | 87 |
| 151 to 200 both inclusive | 84 |
| 201 to 250 both inclusive | 82 |
| 251 to 375 both inclusive | 79 |
| 376 to 500 both inclusive | 76 |
| 501 to 750 both inclusive | 74 |
| 751 to 1000 both inclusive | 70 |
| 1001 to 1250 both inclusive | 68 |
| 1251 to 1500 both inclusive | 66 |
| 1501 to 1800 both inclusive | 65 |
| 1801 to 2100 both inclusive | 64 |
| 2101 to 2300 both inclusive | 63 |
| 2301 to 2600 both inclusive | 62 |
| 2601 to 3900 both inclusive | 58 |
| 3901 to 5200 both inclusive | 56 |
| 5201 to 6500 both inclusive | 53 |
| 6501 to 8000 both inclusive | 50 |

2. The 100 Year Flood Event Standard means rainfall or snowmelt, or a combination of rainfall and snowmelt producing at any location in a river, creek, stream or watercourse, a peak flow that has a probability of occurrence of one per cent during any given year.

Made by:

NICKEL DISTRICT CONSERVATION AUTHORITY:

A.C. BONNIS
General Manager/Secretary Treasurer

RON BRADLEY
Chairman

Date made: April 28, 2006.

I certify that I have approved this Regulation.

DAVID JAMES RAMSAY
Minister of Natural Resources

Date approved: May 4, 2006.

20/06

ONTARIO REGULATION 157/06
made under the
CONSERVATION AUTHORITIES ACT

Made: April 27, 2006
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**UPPER THAMES RIVER CONSERVATION AUTHORITY: REGULATION OF DEVELOPMENT,
INTERFERENCE WITH WETLANDS AND ALTERATIONS TO SHORELINES AND
WATERCOURSES**

Definition

1. In this Regulation,

“Authority” means the Upper Thames River Conservation Authority.

Development prohibited

2. (1) Subject to section 3, no person shall undertake development, or permit another person to undertake development in or on the areas within the jurisdiction of the Authority that are,

(a) river or stream valleys that have depressional features associated with a river or stream, whether or not they contain a watercourse, the limits of which are determined in accordance with the following rules:

(i) where the river or stream valley is apparent and has stable slopes, the valley extends from the stable top of bank, plus 15 metres, to a similar point on the opposite side,

(ii) where the river or stream valley is apparent and has unstable slopes, the valley extends from the predicted long term stable slope projected from the existing stable slope or, if the toe of the slope is unstable, from the predicted location of the toe of the slope as a result of stream erosion over a projected 100-year period, plus 15 metres, to a similar point on the opposite side,

(iii) where the river or stream valley is not apparent, the valley extends the greater of,

(A) the distance from a point outside the edge of the maximum extent of the flood plain under the applicable flood event standard, plus 15 metres, to a similar point on the opposite side, and

(B) the distance from the predicted meander belt of a watercourse, expanded as required to convey the flood flows under the applicable flood event standard, plus 15 metres, to a similar point on the opposite side;

(b) hazardous lands;

(c) wetlands; or

(d) other areas where development could interfere with the hydrologic function of a wetland, including areas within 120 metres of all provincially significant wetlands and wetlands greater than 2 hectares in size, and areas within 30 metres of all other wetlands, but not including those where development has been approved pursuant to an application made under the *Planning Act* or other public planning or regulatory process.

(2) The areas described in subsection (1) are the areas referred to in section 12 except that, in case of a conflict, the description of the areas provided in subsection (1) prevails over the descriptions referred to in that section.

Permission to develop

3. (1) The Authority may grant permission for development in or on the areas described in subsection 2 (1) if, in its opinion, the control of flooding, erosion, dynamic beaches, pollution or the conservation of land will not be affected by the development.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

4. A signed application for permission to undertake development shall be filed with the Authority and shall contain the following information:

1. Four copies of a plan of the area showing the type and location of the development.
2. The proposed use of the buildings and structures following completion of the development.
3. The start and completion dates of the development.
4. The elevations of existing buildings, if any, and grades and the proposed elevations of buildings and grades after development.
5. Drainage details before and after development.
6. A complete description of the type of fill proposed to be placed or dumped.

Alterations prohibited

5. Subject to section 6, no person shall straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse or change or interfere in any way with a wetland.

Permission to alter

6. (1) The Authority may grant a person permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or to change or interfere with a wetland.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

7. A signed application for permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or change or interfere with a wetland shall be filed with the Authority and shall contain the following information:

1. Four copies of a plan of the area showing plan view and cross-section details of the proposed alteration.
2. A description of the methods to be used in carrying out the alteration.
3. The start and completion dates of the alteration.
4. A statement of the purpose of the alteration.

Cancellation of permission

8. (1) The Authority may cancel a permission if it is of the opinion that the conditions of the permission have not been met.

(2) Before cancelling a permission, the Authority shall give a notice of intent to cancel to the holder of the permission indicating that the permission will be cancelled unless the holder shows cause at a hearing why the permission should not be cancelled.

(3) Following the giving of the notice, the Authority shall give the holder at least five days notice of the date of the hearing.

Validity of permissions and extensions

9. (1) A permission of the Authority is valid for a maximum period of 24 months after it is issued, unless it is specified to expire at an earlier date.

(2) A permission shall not be extended.

Appointment of officers

10. The Authority may appoint officers to enforce this Regulation.

Flood event standards

11. The applicable flood event standard used to determine the maximum susceptibility to flooding of lands or areas within the watersheds in the area of jurisdiction of the Authority is the observed 1937 flood event described in Schedule 1.

Areas included in the Regulation Limit

12. Hazardous lands, wetlands, shorelines and areas susceptible to flooding and associated allowances within the watersheds in the area of jurisdiction of the Authority are delineated by the Regulation Limit shown on maps 1 to 189, dated March 17, 2006, and filed at the head office of the Authority at 1424 Clarke Road, London, Ontario under the map title "Ontario Regulation 97/04: Regulation for Development, Interference with Wetlands and Alterations to Shorelines and Watercourses".

Revocation

13. Regulation 170 of the Revised Regulations of Ontario, 1990 is revoked.

SCHEDULE 1

1. The observed 1937 flood event means the historical 1937 flood which was experienced throughout the Upper Thames River watershed. The 1937 flood event is estimated to be equivalent to a 1:250-year return and was approved by the Minister of Natural Resources as the Upper Thames River Conservation Authority's flood standard on February 21, 1989.

Made by:

UPPER THAMES RIVER CONSERVATION AUTHORITY:

LYNDA HODGINS
Chair

JEFFREY J. BRICK
Coordinator, Hydrology and Regulatory Services

Date made: April 27, 2006.

I certify that I have approved this Regulation.

DAVID JAMES RAMSAY
Minister of Natural Resources

Date approved: May 4, 2006.

20/06

ONTARIO REGULATION 158/06

made under the

CONSERVATION AUTHORITIES ACT

Made: April 27, 2006

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Printed in *The Ontario Gazette*: May 20, 2006**ESSEX REGION CONSERVATION AUTHORITY: REGULATION OF DEVELOPMENT,
INTERFERENCE WITH WETLANDS AND ALTERATIONS TO SHORELINES AND
WATERCOURSES****Definition**

1. In this Regulation,

“Authority” means the Essex Region Conservation Authority.

Development prohibited

2. (1) Subject to section 3, no person shall undertake development, or permit another person to undertake development in or on the areas within the jurisdiction of the Authority that are,

- (a) adjacent or close to the shoreline of the Great Lakes-St. Lawrence River System or to inland lakes that may be affected by flooding, erosion or dynamic beaches, including the area from the furthest offshore extent of the Authority's boundary to the furthest landward extent of the aggregate of the following distances:
 - (i) the 100 year flood level, plus an allowance for wave uprush and other water related hazards,
 - (ii) the predicted long term stable slope projected from the existing stable toe of the slope or from the predicted location of the toe of the slope as that location may have shifted as a result of shoreline erosion over a 100-year period,
 - (iii) where a dynamic beach is associated with the waterfront lands, a 30 metre allowance inland to accommodate dynamic beach movement, and
 - (iv) 15 metres inland;
- (b) river or stream valleys that have depressional features associated with a river or stream, whether or not they contain a watercourse, the limits of which are determined in accordance with the following rules:
 - (i) where the river or stream valley is apparent and has stable slopes, the valley extends from the stable top of bank, plus 15 metres, to a similar point on the opposite side,
 - (ii) where the river or stream valley is apparent and has unstable slopes, the valley extends from the predicted long term stable slope projected from the existing stable slope or, if the toe of the slope is unstable, from the predicted location of the toe of the slope as a result of stream erosion over a projected 100 year period, plus 15 metres, to a similar point on the opposite side,
 - (iii) where the river or stream valley is not apparent, the valley extends the greater of,
 - (A) the distance from a point outside the edge of the maximum extent of the flood plain under the applicable flood event standard, plus 15 metres, to a similar point on the opposite side, and
 - (B) the distance from the predicted meander belt of a watercourse, expanded as required to convey the flood flows under the applicable flood event standard, plus 15 metres, to a similar point on the opposite side;
- (c) hazardous lands;
- (d) wetlands; or
- (e) other areas,
 - (i) where development could interfere with the hydrologic function of a wetland, including areas within 120 metres of all provincially significant wetlands and wetlands greater than 2 hectares in size, and areas within 30 metres of wetlands less than 2 hectares in size, but not including those where development has been approved pursuant to an application made under the *Planning Act* or other public planning or regulatory process,
 - (ii) in river or stream valleys that are not apparent and in shoreline flood hazard lands where development could be impacted by flood levels aggravated by vehicle-generated waves, ice-jamming or other factors, in which cases the horizontal extent of the regulated area is increased by adding an allowance of 0.3 meters to the applicable flood event standard.

(2) The areas described in subsection (1) are the areas referred to in section 12 except that, in case of a conflict, the description of the areas provided in subsection (1) prevails over the descriptions referred to in that section.

Permission to develop

3. (1) The Authority may grant permission for development in or on the areas described in subsection 2 (1) if, in its opinion, the control of flooding, erosion, dynamic beaches, pollution or the conservation of land will not be affected by the development.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

4. A signed application for permission to undertake development shall be filed with the Authority and shall contain the following information:

1. Four copies of a plan of the area showing the type and location of the development.
2. The proposed use of the buildings and structures following completion of the development.
3. The start and completion dates of the development.
4. The elevations of existing buildings, if any, and grades and the proposed elevations of buildings and grades after development.
5. Drainage details before and after development.
6. A complete description of the type of fill proposed to be placed or dumped.

Alterations prohibited

5. Subject to section 6, no person shall straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse or change or interfere in any way with a wetland.

Permission to alter

6. (1) The Authority may grant a person permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or to change or interfere with a wetland.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

7. A signed application for permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or change or interfere with a wetland shall be filed with the Authority and shall contain the following information:

1. Four copies of a plan of the area showing plan view and cross-section details of the proposed alteration.
2. A description of the methods to be used in carrying out the alteration.
3. The start and completion dates of the alteration.
4. A statement of the purpose of the alteration.

Cancellation of permission

8. (1) The Authority may cancel a permission if it is of the opinion that the conditions of the permission have not been met.

(2) Before cancelling a permission, the Authority shall give a notice of intent to cancel to the holder of the permission indicating that the permission will be cancelled unless the holder shows cause at a hearing why the permission should not be cancelled.

(3) Following the giving of the notice, the Authority shall give the holder at least five days notice of the date of the hearing.

Validity of permissions and extensions

9. (1) A permission of the Authority is valid for a maximum period of 24 months after it is issued, unless it is specified to expire at an earlier date.

(2) If an application for an extension of the permission is made to the Authority before it expires, the Authority may grant an extension for a specified period of up to one year.

Appointment of officers

10. The Authority may appoint officers to enforce this Regulation.

Flood event standards

11. (1) The applicable flood event standards used to determine the maximum susceptibility to flooding of lands or areas within the jurisdiction of the Authority are the 100 Year Flood Event Standard, the March 1985 Flood Event Standard and the 100 year flood level plus wave uprush, described in Schedule 1.

(2) The 100 Year Flood Event Standard applies to all watersheds within the area of jurisdiction of the Authority except for,

- (a) the main branch and the east branch (Silver Creek) of the Ruscom River, and its tributaries within the Town of Lakeshore and the Town of Kingsville, where the March 1985 Flood Event Standard applies; and
- (b) the main and north branch of Canard River in the Town of LaSalle, Concessions I and II, and on the main branch of the Canard River in the Town of Amherstburg, Concessions I, II, III and IV, where the March 1985 Flood Event Standard applies.

Areas included in the Regulation Limit

12. Hazardous lands, wetlands, shorelines and areas susceptible to flooding, and associated allowances, within the watersheds in the area of jurisdiction of the Authority are delineated by the Regulation Limit shown on maps 1 to 109 dated November, 2005, and filed at the head office of the Authority at 360 Fairview Avenue West, Essex, Ontario under the map title "Ontario Regulation 97/04: Regulation for Development, Interference with Wetlands and Alterations to Shorelines and Watercourses".

Revocation

13. Regulation 147 of the Revised Regulations of Ontario, 1990 is revoked.

SCHEDULE 1

1. The 100 Year Flood Event Standard means rainfall, snowmelt, or a combination of rainfall and snowmelt, producing at any location in a river, creek, stream or watercourse a peak flow that has a probability of occurrence of one per cent during any given year.

2. The March 1985 Flood Event Standard means the flood levels observed, surveyed and mapped along portions of prescribed watercourses that exceeded the 100 year Flood Event Standard.

3. The 100 year flood level means the peak instantaneous still water level plus an allowance for wave uprush and other water-related hazards for Lake St. Clair, Lake Erie and the Detroit River in the Great Lakes-St. Lawrence River System that has a probability of occurrence of one per cent during any given year.

Made by:

ESSEX REGION CONSERVATION AUTHORITY:

RAY RENAUD
Chair

KEN SCHMIDT
General Manager/Secretary-Treasurer

Date made: April 27, 2006.

I certify that I have approved this Regulation.

DAVID JAMES RAMSAY
Minister of Natural Resources

Date approved: May 2, 2006.

ONTARIO REGULATION 159/06
made under the
CONSERVATION AUTHORITIES ACT

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**CROWE VALLEY CONSERVATION AUTHORITY: REGULATION OF DEVELOPMENT,
INTERFERENCE WITH WETLANDS AND ALTERATIONS TO SHORELINES AND
WATERCOURSES**

Definition

1. In this Regulation,

“Authority” means the Crowe Valley Conservation Authority.

Development prohibited

2. (1) Subject to section 3, no person shall undertake development, or permit another person to undertake development in or on the areas within the jurisdiction of the Authority that are,

- (a) river or stream valleys that have depressional features associated with a river or stream, whether or not they contain a watercourse, the limits of which are determined in accordance with the following rules:
 - (i) where the river or stream valley is apparent and has stable slopes, the valley extends from the stable top of bank, plus 15 metres, to a similar point on the opposite side,
 - (ii) where the river or stream valley is apparent and has unstable slopes, the valley extends from the predicted long term stable slope projected from the existing stable slope or, if the toe of the slope is unstable, from the predicted location of the toe of the slope as a result of stream erosion over a projected 100-year period, plus 15 metres, to a similar point on the opposite side,
 - (iii) where the river or stream valley is not apparent, the valley extends the greater of,
 - (A) the distance from a point outside the edge of the maximum extent of the flood plain under the applicable flood event standard, plus 15 metres, to a similar point on the opposite side, and
 - (B) the distance from the predicted meander belt of a watercourse, expanded as required to convey the flood flows under the applicable flood event standard, plus 15 metres, to a similar point on the opposite side;
- (c) hazardous lands;
- (d) wetlands; or
- (e) other areas where development could interfere with the hydrologic function of a wetland, including areas within 120 metres of all provincially significant wetlands and wetlands greater than 2 hectares in size, and areas within 30 metres of wetlands less than 2 hectares in size, but not including those where development has been approved pursuant to an application made under the *Planning Act* or other public planning or regulatory process.

(2) The areas described in subsection (1) are the areas referred to in section 12 except that, in case of a conflict, the description of the areas provided in subsection (1) prevails over the descriptions referred to in that section.

Permission to develop

3. (1) The Authority may grant permission for development in or on the areas described in subsection 2 (1) if, in its opinion, the control of flooding, erosion, dynamic beaches, pollution or the conservation of land will not be affected by the development.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

4. A signed application for permission to undertake development shall be filed with the Authority and shall contain the following information:

- 1. Four copies of a plan of the area showing the type and location of the development.
- 2. The proposed use of the buildings and structures following completion of the development.

3. The start and completion dates of the development.
4. The elevations of existing buildings, if any, and grades and the proposed elevations of buildings and grades after development.
5. Drainage details before and after development.
6. A complete description of the type of fill proposed to be placed or dumped.

Alterations prohibited

5. Subject to section 6, no person shall straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse or change or interfere in any way with a wetland.

Permission to alter

6. (1) The Authority may grant a person permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or to change or interfere with a wetland.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

7. A signed application for permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or change or interfere with a wetland shall be filed with the Authority and shall contain the following information:

1. Four copies of a plan of the area showing plan view and cross-section details of the proposed alteration.
2. A description of the methods to be used in carrying out the alteration.
3. The start and completion dates of the alteration.
4. A statement of the purpose of the alteration.

Cancellation of permission

8. (1) The Authority may cancel a permission if it is of the opinion that the conditions of the permission have not been met.

(2) Before cancelling a permission, the Authority shall give a notice of intent to cancel to the holder of the permission indicating that the permission will be cancelled unless the holder shows cause at a hearing why the permission should not be cancelled.

(3) Following the giving of the notice, the Authority shall give the holder at least five days notice of the date of the hearing.

Validity of permissions and extensions

9. (1) A permission of the Authority is valid for a maximum period of 24 months after it is issued, unless it is specified to expire at an earlier date.

(2) A permission shall not be extended.

Appointment of officers

10. The Authority may appoint officers to enforce this Regulation.

Flood event standards

11. The applicable flood event standards used to determine the maximum susceptibility to flooding of lands or areas within the watersheds in the area of jurisdiction of the Authority are the Hurricane Hazel Flood Event Standard, the 100 year flood level and the Timmins Flood Event Standard described in Schedule 1.

Areas included in the Regulation Limit

12. Hazardous lands, wetlands, shorelines and areas susceptible to flooding, and associated allowances, within the watersheds in the area of jurisdiction of the Authority are delineated by the Regulation Limit shown on maps 1 to 129 dated December 2005 and filed at the head office of the Authority at 70 Hughes Lane, Marmora, Ontario, K0K 2M0 under the map title "Ontario Regulation 97/04: Regulation for Development, Interference with Wetlands and Alterations to Shorelines and Watercourses".

SCHEDULE 1

1. The Hurricane Hazel Flood Event Standard means a storm that produces over a 48-hour period,
 - (a) in a drainage area of 25 square kilometres or less, rainfall that has the distribution set out in Table 1; or

- (b) in a drainage area of more than 25 square kilometres, rainfall such that the number of millimetres of rain referred to in each case in Table 1 shall be modified by the percentage amount shown in Column 2 of Table 2 opposite the size of the drainage area set out opposite thereto in Column 1 of Table 2.

TABLE 1

| |
|--|
| 73 millimetres of rain in the first 36 hours |
| 6 millimetres of rain in the 37th hour |
| 4 millimetres of rain in the 38th hour |
| 6 millimetres of rain in the 39th hour |
| 13 millimetres of rain in the 40th hour |
| 17 millimetres of rain in the 41st hour |
| 13 millimetres of rain in the 42nd hour |
| 23 millimetres of rain in the 43rd hour |
| 13 millimetres of rain in the 44th hour |
| 13 millimetres of rain in the 45th hour |
| 53 millimetres of rain in the 46th hour |
| 38 millimetres of rain in the 47th hour |
| 13 millimetres of rain in the 48th hour |

TABLE 2

| Column 1 | Column 2 |
|-----------------------------------|------------|
| Drainage Area (square kilometres) | Percentage |
| 26 to 45 both inclusive | 99.2 |
| 46 to 65 both inclusive | 98.2 |
| 66 to 90 both inclusive | 97.1 |
| 91 to 115 both inclusive | 96.3 |
| 116 to 140 both inclusive | 95.4 |
| 141 to 165 both inclusive | 94.8 |
| 166 to 195 both inclusive | 94.2 |
| 196 to 220 both inclusive | 93.5 |
| 221 to 245 both inclusive | 92.7 |
| 246 to 270 both inclusive | 92.0 |
| 271 to 450 both inclusive | 89.4 |
| 451 to 575 both inclusive | 86.7 |
| 576 to 700 both inclusive | 84.0 |
| 701 to 850 both inclusive | 82.4 |
| 851 to 1000 both inclusive | 80.8 |
| 1001 to 1200 both inclusive | 79.3 |
| 1201 to 1500 both inclusive | 76.6 |
| 1501 to 1700 both inclusive | 74.4 |
| 1701 to 2000 both inclusive | 73.3 |
| 2001 to 2200 both inclusive | 71.7 |
| 2201 to 2500 both inclusive | 70.2 |
| 2501 to 2700 both inclusive | 69.0 |
| 2701 to 4500 both inclusive | 64.4 |
| 4501 to 6000 both inclusive | 61.4 |
| 6001 to 7000 both inclusive | 58.9 |
| 7001 to 8000 both inclusive | 57.4 |

2. The 100 year flood level means the peak instantaneous still water level plus an allowance for wave uprush and other water-related hazards for Lake Ontario that has a probability of occurrence of one per cent during any given year.

3. The Timmins Flood Event Standard means a storm that produces over a 12-hour period,

- (a) in a drainage area of 25 square kilometres or less, rainfall that has the distribution set out in Table 3; or
- (b) in a drainage area of more than 25 square kilometres, rainfall such that the number of millimetres of rain referred to in each case in Table 3 shall be modified by the percentage amount shown in Column 2 of Table 4 opposite the size of the drainage area set out opposite thereto in Column 1 of Table 4.

TABLE 3

| |
|---|
| 15 millimetres of rain in the first hour |
| 20 millimetres of rain in the second hour |
| 10 millimetres of rain in the third hour |
| 3 millimetres of rain in the fourth hour |
| 5 millimetres of rain in the fifth hour |
| 20 millimetres of rain in the sixth hour |
| 43 millimetres of rain in the seventh hour |
| 20 millimetres of rain in the eighth hour |
| 23 millimetres of rain in the ninth hour |
| 13 millimetres of rain in the tenth hour |
| 13 millimetres of rain in the eleventh hour |
| 8 millimetres of rain in the twelfth hour |

TABLE 4

| Column 1 | Column 2 |
|-----------------------------------|------------|
| Drainage Area (Square Kilometres) | Percentage |
| 26 to 50 both inclusive | 97 |
| 51 to 75 both inclusive | 94 |
| 76 to 100 both inclusive | 90 |
| 101 to 150 both inclusive | 87 |
| 151 to 200 both inclusive | 84 |
| 201 to 250 both inclusive | 82 |
| 251 to 375 both inclusive | 79 |
| 376 to 500 both inclusive | 76 |
| 501 to 750 both inclusive | 74 |
| 751 to 1000 both inclusive | 70 |
| 1001 to 1250 both inclusive | 68 |
| 1251 to 1500 both inclusive | 66 |
| 1501 to 1800 both inclusive | 65 |
| 1801 to 2100 both inclusive | 64 |
| 2101 to 2300 both inclusive | 63 |
| 2301 to 2600 both inclusive | 62 |
| 2601 to 3900 both inclusive | 58 |
| 3901 to 5200 both inclusive | 56 |
| 5201 to 6500 both inclusive | 53 |
| 6501 to 8000 both inclusive | 50 |

Made by:

CROWE VALLEY CONSERVATION AUTHORITY:

WAYNE LONGMUIR
Chair

KENNETH PHILLIPS
General Manager

Date made: April 28, 2006.

I certify that I have approved this Regulation.

DAVID JAMES RAMSAY
Minister of Natural Resources

Date approved: May 2, 2006.

20/06

ONTARIO REGULATION 160/06
made under the
CONSERVATION AUTHORITIES ACT

Made: April 27, 2006
Approved: May 2, 2006
Filed: May 4, 2006
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Printed in *The Ontario Gazette*: May 20, 2006

**CREDIT VALLEY CONSERVATION AUTHORITY: REGULATION OF DEVELOPMENT,
INTERFERENCE WITH WETLANDS AND ALTERATIONS TO SHORELINES AND
WATERCOURSES**

Definition

1. In this Regulation,

“Authority” means the Credit Valley Conservation Authority.

Development prohibited

2. (1) Subject to section 3, no person shall undertake development or permit another person to undertake development in or on the areas within the jurisdiction of the Authority that are,

(a) adjacent or close to the shoreline of the Great Lakes-St. Lawrence River System or to inland lakes that may be affected by flooding, erosion or dynamic beaches, including the area from the furthest offshore extent of the Authority’s boundary to the furthest landward extent of the aggregate of the following distances:

- (i) the 100 year flood level, plus the appropriate allowance for wave uprush and other water-related hazards,
- (ii) the predicted long term stable slope projected from the existing stable toe of the slope or from the predicted location of the toe of the slope as that location may have shifted as a result of shoreline erosion over a 100-year period,
- (iii) where a dynamic beach is associated with the waterfront lands, a 30 metre allowance inland to accommodate dynamic beach movement, and
- (iv) 15 metres inland;

(b) river or stream valleys that have depressional features associated with a river or stream, whether or not they contain a watercourse, the limits of which are determined in accordance with the following rules:

- (i) where the river or stream valley is apparent and has stable slopes, the valley extends from the stable top of bank, plus 15 metres, to a similar point on the opposite side,
- (ii) where the river or stream valley is apparent and has unstable slopes, the valley extends from the predicted long term stable slope projected from the existing stable slope or, if the toe of the slope is unstable, from the predicted location of the toe of the slope as a result of stream erosion over a projected 100 year period, plus 15 metres, to a similar point on the opposite side,
- (iii) where the river or stream valley is not apparent, the valley extends the greater of,

- (A) the distance from a point outside the edge of the maximum extent of the flood plain under the applicable flood event standard, plus 15 metres, to a similar point on the opposite side, and
- (B) the distance from the predicted meander belt of a watercourse, expanded as required to convey the flood flows under the applicable flood event standard, plus 15 metres, to a similar point on the other side;

(c) hazardous lands;

(d) wetlands; or

(e) other areas where development could interfere with the hydrologic function of a wetland including areas within 120 metres of all provincially significant wetlands and areas within 30 metres of all other wetlands but not including those where development has been approved pursuant to an application made under the *Planning Act* or other public planning or regulatory process.

(2) The areas described in subsection (1) are the areas referred to in section 12 except that, in case of a conflict, the description of the areas provided in subsection (1) prevails over the descriptions referred to in that section.

Permission to develop

3. (1) The Authority may grant permission for development in or on the areas described in subsection 2 (1) if, in its opinion, the control of flooding, erosion, dynamic beaches, pollution or the conservation of land will not be affected by the development.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

4. A signed application for permission to undertake development shall be filed with the Authority and shall contain the following information:

1. Four copies of a plan of the area showing the type and location of the development.
2. The proposed use of the buildings and structures following completion of the development.
3. The start and completion dates of the development.
4. The elevations of existing buildings, if any, and grades and the proposed elevations of buildings and grades after development.
5. Drainage details before and after development.
6. A complete description of the type of fill proposed to be placed or dumped.

Alterations prohibited

5. Subject to section 6, no person shall straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse or change or interfere in any way with a wetland.

Permission to alter

6. (1) The Authority may grant a person permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or to change or interfere with a wetland.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

7. A signed application for permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or change or interfere with a wetland shall be filed with the Authority and shall contain the following information:

1. Four copies of a plan of the area showing plan view and cross-section details of the proposed alteration.
2. A description of the methods to be used in carrying out the alteration.
3. The start and completion dates of the alteration.
4. A statement of the purpose of the alteration.

Cancellation of permission

8. (1) The Authority may cancel a permission if it is of the opinion that the conditions of the permission have not been met.

(2) Before cancelling a permission, the Authority shall give a notice of intent to cancel to the holder of the permission indicating that the permission will be cancelled unless the holder shows cause at a hearing why the permission should not be cancelled.

(3) Following the giving of the notice, the Authority shall give the holder at least five days notice of the date of the hearing.

Expiry of permission and extension

9. (1) A permission of the Authority is valid for a maximum period of 24 months after it is issued, unless it is specified to expire at an earlier date.

(2) A permission shall not be extended.

Appointment of officers

10. The Authority may appoint officers to enforce this Regulation.

Flood event standards

11. The applicable flood event standards used to determine the maximum susceptibility to flooding of lands or areas within the watersheds in the area of jurisdiction of the Authority are the Hurricane Hazel Flood Event Standard, the 100 Year Flood Event Standard and the 100 year flood level plus wave uprush, described in Schedule 1.

Areas included in the Regulation Limit

12. Hazardous lands, wetlands, shorelines and areas susceptible to flooding, and associated allowances, within the watersheds in the area of jurisdiction of the Authority are delineated by the Regulation Limit shown on Maps 1 to 71 dated April 2006 and filed at the head office of the Authority at 1255 Old Derry Road, Mississauga Ontario under the map titled: "Ontario Regulation 97/04: Regulation for Development, Interference with Wetlands and Alterations to Shorelines and Watercourses".

Revocation

13. Regulation 146 of the Revised Regulations of Ontario, 1990 is revoked.

SCHEDULE 1

1. The Hurricane Hazel flood event standard means a storm that produces over a 48-hour period,
- (a) in a drainage area of 25 square kilometres or less, rainfall that has the distribution set out in Table 1; or
 - (b) in a drainage area of more than 25 square kilometres, rainfall such that the number of millimetres of rain referred to in each case in Table 1 shall be modified by the percentage amount shown in Column 2 of Table 2 opposite the size of the drainage area set out opposite thereto in Column 1 of Table 2.

TABLE 1

| |
|--|
| 73 millimetres of rain in the first 36 hours |
| 6 millimetres of rain in the 37th hour |
| 4 millimetres of rain in the 38th hour |
| 6 millimetres of rain in the 39th hour |
| 13 millimetres of rain in the 40th hour |
| 17 millimetres of rain in the 41st hour |
| 13 millimetres of rain in the 42nd hour |
| 23 millimetres of rain in the 43rd hour |
| 13 millimetres of rain in the 44th hour |
| 13 millimetres of rain in the 45th hour |
| 53 millimetres of rain in the 46th hour |
| 38 millimetres of rain in the 47th hour |
| 13 millimetres of rain in the 48th hour |

TABLE 2

| Column 1 | Column 2 |
|-----------------------------------|------------|
| Drainage Area (square kilometres) | Percentage |
| 26 to 45 both inclusive | 99.2 |
| 46 to 65 both inclusive | 98.2 |
| 66 to 90 both inclusive | 97.1 |
| 91 to 115 both inclusive | 96.3 |
| 116 to 140 both inclusive | 95.4 |
| 141 to 165 both inclusive | 94.8 |
| 166 to 195 both inclusive | 94.2 |
| 196 to 220 both inclusive | 93.5 |

| Column 1 | Column 2 |
|-----------------------------------|------------|
| Drainage Area (square kilometres) | Percentage |
| 221 to 245 both inclusive | 92.7 |
| 246 to 270 both inclusive | 92.0 |
| 271 to 450 both inclusive | 89.4 |
| 451 to 575 both inclusive | 86.7 |
| 576 to 700 both inclusive | 84.0 |
| 701 to 850 both inclusive | 82.4 |
| 851 to 1000 both inclusive | 80.8 |
| 1001 to 1200 both inclusive | 79.3 |
| 1201 to 1500 both inclusive | 76.6 |
| 1501 to 1700 both inclusive | 74.4 |
| 1701 to 2000 both inclusive | 73.3 |
| 2001 to 2200 both inclusive | 71.7 |
| 2201 to 2500 both inclusive | 70.2 |
| 2501 to 2700 both inclusive | 69.0 |
| 2701 to 4500 both inclusive | 64.4 |
| 4501 to 6000 both inclusive | 61.4 |
| 6001 to 7000 both inclusive | 58.9 |
| 7001 to 8000 both inclusive | 57.4 |

2. The 100 Year Flood Event Standard means rainfall or snowmelt, or a combination of rainfall and snowmelt producing at any location in a river, creek, stream or watercourse, a peak flow that has a probability of occurrence of one per cent during any given year.

3. The 100 year flood level means the peak instantaneous still water level plus an allowance for wave uprush and other water-related hazards for Lake Ontario in the Great Lakes-St. Lawrence River System, that has a probability of occurrence of one per cent during any given year.

Made by:

CREDIT VALLEY CONSERVATION AUTHORITY:

PAT MULLIN
Chair

RAE HORST
General Manager

Date made: April 27, 2006.

I certify that I have approved this Regulation.

DAVID JAMES RAMSAY
Minister of Natural Resources

Date approved: May 2, 2006.

20/06

ONTARIO REGULATION 161/06
made under the
CONSERVATION AUTHORITIES ACT

Made: April 26, 2006
Approved: May 4, 2006
Filed: May 4, 2006
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Printed in *The Ontario Gazette*: May 20, 2006

**HAMILTON REGION CONSERVATION AUTHORITY: REGULATION OF DEVELOPMENT,
INTERFERENCE WITH WETLANDS AND ALTERATIONS TO SHORELINES AND
WATERCOURSES**

Definition

1. In this Regulation,

“Authority” means the Hamilton Region Conservation Authority.

Development prohibited

2. (1) Subject to section 3, no person shall undertake development, or permit another person to undertake development in or on the areas within the jurisdiction of the Authority that are,

- (a) adjacent or close to the shoreline of the Great Lakes-St. Lawrence River System or to inland lakes that may be affected by flooding, erosion or dynamic beaches, including the area from the furthest offshore extent of the Authority’s boundary to the furthest landward extent of the aggregate of the following distances:
 - (i) the 100 year flood level, plus the appropriate allowance for wave uprush and other related hazards,
 - (ii) the predicted long term stable slope projected from the existing stable toe of the slope or from the predicted location of the toe of the slope as that location may have shifted as a result of shoreline erosion over a 100-year period,
 - (iii) where a dynamic beach is associated with the waterfront lands, a 30 metre allowance inland to accommodate dynamic beach movement,
 - (iv) 15 metres inland;
- (b) river or stream valleys that have depressional features associated with a river or stream, whether or not they contain a watercourse, the limits of which are determined in accordance with the following rules:
 - (i) where the river or stream valley is apparent and has stable slopes, the valley extends from the stable top of bank, plus 15 metres, to a similar point on the opposite side,
 - (ii) where the river or stream valley is apparent and has unstable slopes, the valley extends from the predicted long term stable slope projected from the existing stable slope or, if the toe of the slope is unstable, from the predicted location of the toe of the slope as a result of stream erosion over a projected 100-year period, plus 15 metres, to a similar point on the opposite side,
 - (iii) where the river or stream valley is not apparent, the valley extends the greater of,
 - (A) the distance from a point outside the edge of the maximum extent of the flood plain under the applicable flood event standard, plus 15 metres, to a similar point on the opposite side, and
 - (B) the distance from the predicted meander belt of a watercourse, expanded as required to convey the flood flows under the applicable flood event standard, plus 15 metres, to a similar point on the opposite side;
- (c) hazardous lands;
- (d) wetlands; or
- (e) other areas where development could interfere with the hydrologic function of a wetland, including areas within 120 metres of all provincially significant wetlands, and areas within 30 metres of all other wetlands, but not including those where development has been approved pursuant to an application made under the *Planning Act* or other public planning or regulatory process.

(2) The areas described in subsection (1) are the areas referred to in section 12 except that, in case of a conflict, the description of the areas provided in subsection (1) prevails over the descriptions referred to in that section.

Permission to develop

3. (1) The Authority may grant permission for development in or on the areas described in subsection 2 (1) if, in its opinion, the control of flooding, erosion, dynamic beaches, pollution or the conservation of land will not be affected by the development.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

4. A signed application for permission to undertake development shall be filed with the Authority and shall contain the following information:

1. Four copies of a plan of the area showing the type and location of the development.
2. The proposed use of the buildings and structures following completion of the development.
3. The start and completion dates of the development.
4. The elevations of existing buildings, if any, and grades and the proposed elevations of buildings and grades after development.
5. Drainage details before and after development.
6. A complete description of the type of fill proposed to be placed or dumped.

Alterations prohibited

5. Subject to section 6, no person shall straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse or change or interfere in any way with a wetland.

Permission to alter

6. (1) The Authority may grant a person permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or to change or interfere with a wetland.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

7. A signed application for permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or change or interfere with a wetland shall be filed with the Authority and shall contain the following information:

1. Four copies of a plan of the area showing plan view and cross-section details of the proposed alteration.
2. A description of the methods to be used in carrying out the alteration.
3. The start and completion dates of the alteration.
4. A statement of the purpose of the alteration.

Cancellation of permission

8. (1) The Authority may cancel a permission if it is of the opinion that the conditions of the permission have not been met.

(2) Before cancelling a permission, the Authority shall give a notice of intent to cancel to the holder of the permission indicating that the permission will be cancelled unless the holder shows cause at a hearing why the permission should not be cancelled.

(3) Following the giving of the notice, the Authority shall give the holder at least five days notice of the date of the hearing.

Validity of permissions and extensions

9. (1) A permission of the Authority is valid for a maximum period of 24 months after it is issued, unless it is specified to expire at an earlier date.

(2) A permission shall not be extended.

Appointment of officers

10. The Authority may appoint officers to enforce this Regulation.

Flood event standards

11. (1) The applicable flood event standards used to determine the maximum susceptibility to flooding of lands or areas within the watersheds in the area of jurisdiction of the Authority are the Hurricane Hazel Flood Event Standard, the 100 Year Flood Event Standard and the 100 year flood level plus wave uprush, described in Schedule 1.

(2) The Hurricane Hazel Flood Event Standard applies to all watersheds within the area of jurisdiction of the Authority except for,

- (a) Watercourses WCO, WC1, WC2, 3, 4, 5.0, 5.1, 6.0, 6.1, 6.2, 6.3, 6.4, 7.0, 7.1, 7.2, 7.3, 8.0, 9.0, 10.0, 10.1, 10.2, 11.0 and 12.0 as indicated on Map Figure 1 of Project 98040-A, Stoney Creek, Stormwater Management Assessment,

prepared by Philips Engineering and located at the Hamilton Region Conservation Authority Administrative office in Ancaster, Ontario, to which watercourses the 100-year flood level applies;

- (b) Lake Ontario in the Great Lakes-St. Lawrence River System where the 100 year flood level plus wave uprush applies; and,
- (c) Hamilton Harbour in the Great Lakes-St. Lawrence River System where the 100 year flood level applies.

Areas included in the Regulation Limit

12. Hazardous lands, wetlands, shorelines and areas susceptible to flooding, and associated allowances, within the watersheds in the area of jurisdiction of the Authority are delineated by the Regulation Limit shown on maps 1 to 116 dated December 2005 and filed at the head office of the Authority at 838 Mineral Springs Road, P.O. Box 7099, Ancaster (Hamilton) Ontario under the map title "Ontario Regulation 97/04: Regulation for Development, Interference with Wetlands and Alterations to Shorelines and Watercourses".

Revocation

13. Regulation 151 of the Revised Regulations of Ontario, 1990 is revoked.

SCHEDULE 1

- 1. The Hurricane Hazel Flood Event Standard means a storm that produces over a 48-hour period,
 - (a) in a drainage area of 25 square kilometres or less, rainfall that has the distribution set out in Table 1; or
 - (b) in a drainage area of more than 25 square kilometres, rainfall such that the number of millimetres of rain referred to in each case in Table 1 shall be modified by the percentage amount shown in Column 2 of Table 2 opposite the size of the drainage area set out opposite thereto in Column 1 of Table 2.

TABLE 1

| |
|--|
| 73 millimetres of rain in the first 36 hours |
| 6 millimetres of rain in the 37th hour |
| 4 millimetres of rain in the 38th hour |
| 6 millimetres of rain in the 39th hour |
| 13 millimetres of rain in the 40th hour |
| 17 millimetres of rain in the 41st hour |
| 13 millimetres of rain in the 42nd hour |
| 23 millimetres of rain in the 43rd hour |
| 13 millimetres of rain in the 44th hour |
| 13 millimetres of rain in the 45th hour |
| 53 millimetres of rain in the 46th hour |
| 38 millimetres of rain in the 47th hour |
| 13 millimetres of rain in the 48th hour |

TABLE 2

| Column 1 | Column 2 |
|-----------------------------------|------------|
| Drainage Area (square kilometres) | Percentage |
| 26 to 45 both inclusive | 99.2 |
| 46 to 65 both inclusive | 98.2 |
| 66 to 90 both inclusive | 97.1 |
| 91 to 115 both inclusive | 96.3 |
| 116 to 140 both inclusive | 95.4 |
| 141 to 165 both inclusive | 94.8 |
| 166 to 195 both inclusive | 94.2 |
| 196 to 220 both inclusive | 93.5 |
| 221 to 245 both inclusive | 92.7 |
| 246 to 270 both inclusive | 92.0 |
| 271 to 450 both inclusive | 89.4 |
| 451 to 575 both inclusive | 86.7 |
| 576 to 700 both inclusive | 84.0 |
| 701 to 850 both inclusive | 82.4 |
| 851 to 1000 both inclusive | 80.8 |
| 1001 to 1200 both inclusive | 79.3 |
| 1201 to 1500 both inclusive | 76.6 |
| 1501 to 1700 both inclusive | 74.4 |

| Column 1 | Column 2 |
|-----------------------------------|------------|
| Drainage Area (square kilometres) | Percentage |
| 1701 to 2000 both inclusive | 73.3 |
| 2001 to 2200 both inclusive | 71.7 |
| 2201 to 2500 both inclusive | 70.2 |
| 2501 to 2700 both inclusive | 69.0 |
| 2701 to 4500 both inclusive | 64.4 |
| 4501 to 6000 both inclusive | 61.4 |
| 6001 to 7000 both inclusive | 58.9 |
| 7001 to 8000 both inclusive | 57.4 |

2. The 100 Year Flood Event Standard means rainfall or snowmelt, or a combination of rainfall and snowmelt producing at any location in a river, creek, stream or watercourse a peak flow that has a probability of occurrence of one per cent during any given year.

3. The 100 year flood level means the peak instantaneous still water level plus an allowance for wave uprush and other water-related hazards that has a probability of occurrence of one per cent during any given year.

Made by:

HAMILTON REGION CONSERVATION AUTHORITY:

CHRIS FIRTH-EAGLAND
Chairman

BRUCE DUNCAN
General Manager/CAO

Date made: April 26, 2006.

I certify that I have approved this Regulation.

DAVID JAMES RAMSAY
Minister of Natural Resources

Date approved: May 4, 2006.

20/06

ONTARIO REGULATION 162/06
made under the
CONSERVATION AUTHORITIES ACT

Made: April 27, 2006
Approved: May 4, 2006
Filed: May 4, 2006
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Printed in *The Ontario Gazette*: May 20, 2006

**HALTON REGION CONSERVATION AUTHORITY: REGULATION OF DEVELOPMENT,
INTERFERENCE WITH WETLANDS AND ALTERATIONS TO SHORELINES AND
WATERCOURSES**

Definition

1. In this Regulation,

"Authority" means the Halton Region Conservation Authority.

Development prohibited

2. (1) Subject to section 3, no person shall undertake development, or permit another person to undertake development in or on the areas within the jurisdiction of the Authority that are,

- (a) adjacent or close to the shoreline of the Great Lakes-St. Lawrence River System or to inland lakes that may be affected by flooding, erosion or dynamic beach hazards, including the area from the furthest offshore extent of the Authority's boundary to the furthest landward extent of the aggregate of the following distances:
 - (i) the 100 Year flood level, plus an allowance of 15 metres for wave uprush and other water-related hazards,
 - (ii) the predicted long term stable slope projected from the existing stable toe of the slope or from the predicted location of the toe of the slope as that location may have shifted as a result of shoreline erosion over a 100-year period,
 - (iii) where a dynamic beach is associated with the waterfront lands, an allowance of 30 metres inland to accommodate dynamic beach movement, and
 - (iv) an allowance not to exceed 15 metres inland;
- (b) river or stream valleys that have depressional features associated with a river or stream, whether or not they contain a watercourse, the limits of which are determined in accordance with the following rules:
 - (i) where the river or stream valley is apparent and has stable slopes, the valley extends from the stable top of bank, plus an allowance not to exceed 15 metres, to a similar point on the opposite side,
 - (ii) where the river or stream valley is apparent and has unstable slopes, the valley extends from the predicted long term stable slope projected from the existing stable slope or, if the toe of the slope is unstable, from the predicted location of the toe of the slope as a result of stream erosion over a projected 100-year period, plus an allowance not to exceed 15 metres, to a similar point on the opposite side,
 - (iii) where the river or stream valley is not apparent, the valley extends the greater of,
 - (A) the distance from a point outside the edge of the maximum extent of the flood plain under the applicable flood event standard, plus an allowance not to exceed 15 metres, to a similar point on the opposite side, and
 - (B) the distance from the predicted meander belt of a watercourse, expanded as required to convey the flood flows under the applicable flood event standard, plus an allowance not to exceed 15 metres, to a similar point on the opposite side;
- (c) hazardous lands;
- (d) wetlands; or
- (e) other areas where development could interfere with the hydrologic function of a wetland, including areas within 120 metres of all provincially significant wetlands and wetlands greater than or equal to 2 hectares in size, and areas within 30 metres of wetlands less than 2 hectares in size, but not including those where development has been approved pursuant to an application made under the *Planning Act* or other public planning or regulatory process.

(2) The areas described in subsection (1) are the areas referred to in section 12 except that, in case of a conflict, the description of the areas provided in subsection (1) prevails over the descriptions referred to in section 12.

Permission to develop

3. (1) The Authority may grant permission for development in or on the areas described in subsection 2 (1) if, in its opinion, the control of flooding, erosion, dynamic beaches, pollution or the conservation of land will not be affected by the development.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

4. A signed application for permission to undertake development shall be filed with the Authority and shall contain the following information:

- 1. Four copies of a plan of the area showing the type and location of the development.
- 2. The proposed use of the buildings and structures following completion of the development.
- 3. The start and completion dates of the development.
- 4. The elevations of existing buildings, if any, and grades and the proposed elevations of buildings and grades after development.

5. Drainage details before and after development.
6. A complete description of the type of fill proposed to be placed or dumped.

Alterations prohibited

5. Subject to section 6, no person shall straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse or change or interfere in any way with a wetland.

Permission to alter

6. (1) The Authority may grant a person permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or to change or interfere with a wetland.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

7. A signed application for permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or change or interfere with a wetland shall be filed with the Authority and shall contain the following information:

1. Four copies of a plan of the area showing plan view and cross-section details of the proposed alteration.
2. A description of the methods to be used in carrying out the alteration.
3. The start and completion dates of the alteration.
4. A statement of the purpose of the alteration.

Cancellation of permission

8. (1) The Authority may cancel a permission if it is of the opinion that the conditions of the permission have not been met.

(2) Before cancelling a permission, the Authority shall give a notice of intent to cancel to the holder of the permission indicating that the permission will be cancelled unless the holder shows cause at a hearing why the permission should not be cancelled.

(3) Following the giving of the notice, the Authority shall give the holder at least five days notice of the date of the hearing.

Validity of permissions and extensions

9. (1) A permission of the Authority is valid for a maximum period of 24 months after it is issued, unless it is specified to expire at an earlier date.

(2) A permission shall not be extended.

Appointment of officers

10. The Authority may appoint officers to enforce this Regulation.

Flood event standards

11. The applicable flood event standards used to determine the maximum susceptibility to flooding of lands or areas within the watersheds in the area of jurisdiction of the Authority are the Hurricane Hazel Flood Event Standard, the 100 Year Flood Event Standard and the 100 year flood level plus wave uprush, described in Schedule 1.

Areas included in the Regulation Limit

12. Hazardous lands, wetlands, shorelines and areas susceptible to flooding, and associated allowances, within the watersheds in the area of jurisdiction of the Authority are delineated by the Regulation Limit shown on maps 1 to 1318 dated January 19, 2006 and filed at the head office of the Authority at 2596 Britannia Road West, R.R.#2, Milton, Ontario under the map title "Ontario Regulation 97/04: Regulation for Development, Interference with Wetlands and Alterations to Shorelines and Watercourses".

Revocation

13. Regulation 150 of the Revised Regulations of Ontario, 1990 is revoked.

SCHEDULE 1

1. The Hurricane Hazel Flood Event Standard means a storm that produces over a 48-hour period,
 - (a) in a drainage area of 25 square kilometres or less, rainfall that has the distribution set out in Table 1; or

- (b) in a drainage area of more than 25 square kilometres, rainfall such that the number of millimetres of rain referred to in each case in Table 1 shall be modified by the percentage amount shown in Column 2 of Table 2 opposite the size of the drainage area set out opposite thereto in Column 1 of Table 2.

TABLE 1

| |
|--|
| 73 millimetres of rain in the first 36 hours |
| 6 millimetres of rain in the 37th hour |
| 4 millimetres of rain in the 38th hour |
| 6 millimetres of rain in the 39th hour |
| 13 millimetres of rain in the 40th hour |
| 17 millimetres of rain in the 41st hour |
| 13 millimetres of rain in the 42nd hour |
| 23 millimetres of rain in the 43rd hour |
| 13 millimetres of rain in the 44th hour |
| 13 millimetres of rain in the 45th hour |
| 53 millimetres of rain in the 46th hour |
| 38 millimetres of rain in the 47th hour |
| 13 millimetres of rain in the 48th hour |

TABLE 2

| Column 1 | Column 2 |
|-----------------------------------|------------|
| Drainage Area (square kilometres) | Percentage |
| 26 to 45 both inclusive | 99.2 |
| 46 to 65 both inclusive | 98.2 |
| 66 to 90 both inclusive | 97.1 |
| 91 to 115 both inclusive | 96.3 |
| 116 to 140 both inclusive | 95.4 |
| 141 to 165 both inclusive | 94.8 |
| 166 to 195 both inclusive | 94.2 |
| 196 to 220 both inclusive | 93.5 |
| 221 to 245 both inclusive | 92.7 |
| 246 to 270 both inclusive | 92.0 |
| 271 to 450 both inclusive | 89.4 |
| 451 to 575 both inclusive | 86.7 |
| 576 to 700 both inclusive | 84.0 |
| 701 to 850 both inclusive | 82.4 |
| 851 to 1000 both inclusive | 80.8 |
| 1001 to 1200 both inclusive | 79.3 |
| 1201 to 1500 both inclusive | 76.6 |
| 1501 to 1700 both inclusive | 74.4 |
| 1701 to 2000 both inclusive | 73.3 |
| 2001 to 2200 both inclusive | 71.7 |
| 2201 to 2500 both inclusive | 70.2 |
| 2501 to 2700 both inclusive | 69.0 |
| 2701 to 4500 both inclusive | 64.4 |
| 4501 to 6000 both inclusive | 61.4 |
| 6001 to 7000 both inclusive | 58.9 |
| 7001 to 8000 both inclusive | 57.4 |

2. The 100 Year Flood Event Standard means rainfall or snowmelt, or a combination of rainfall and snowmelt, producing at any location in a river, creek, stream or watercourse, a peak flow, that has a probability of occurrence of one per cent during any given year.

3. The 100 year flood level means the peak instantaneous still water level plus an allowance for wave uprush and other water-related hazards for Lake Ontario and Hamilton Harbour in the Great Lakes-St. Lawrence River System that has a probability of occurrence of one per cent during any given year.

Made by:

HALTON REGION CONSERVATION AUTHORITY:

ALLAN R. HOLMES
CAO

BRIAN PENMAN
Board of Directors - Chair

Date made: April 27, 2006.

I certify that I have approved this Regulation.

DAVID JAMES RAMSAY
Minister of Natural Resources

Date approved: May 4, 2006.

20/06

ONTARIO REGULATION 163/06
made under the
CONSERVATION AUTHORITIES ACT

Made: April 27, 2006
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**LOWER TRENT REGION CONSERVATION AUTHORITY: REGULATION OF
DEVELOPMENT, INTERFERENCE WITH WETLANDS AND ALTERATIONS TO SHORELINES
AND WATERCOURSES**

Definition

1. In this Regulation,

“Authority” means the Lower Trent Region Conservation Authority.

Development prohibited

2. (1) Subject to section 3, no person shall undertake development, or permit another person to undertake development in or on the areas within the jurisdiction of the Authority that are,

- (a) adjacent or close to the shoreline of the Great Lakes-St. Lawrence River System or to inland lakes that may be affected by flooding, erosion or dynamic beaches, including the area from the furthest offshore extent of the Authority's boundary to the furthest landward extent of the aggregate of the following distances:
- (i) the 100 year flood level, plus the appropriate allowance for wave uprush shown in Table 7.1 of the document entitled “Lake Ontario Shoreline Management Plan”, December 1990, or as identified in the document entitled “Cramahe Shorelands Project”, December 1997, for the Township of Cramahe or in the document entitled “Alnwick/Haldimand Lake Ontario Shorelands Project”, September 2003, for the Township of Alnwick/Haldimand, which are available at or through the Authority at its head office located at 714 Murray Street, RR# 1, Trenton, Ontario, K8V 5P4,

- (ii) the predicted long term stable slope projected from the existing stable toe of the slope or from the predicted location of the toe of the slope as that location may have shifted as a result of shoreline erosion over a 100-year period as shown in Table 7.1 of the document entitled "Lake Ontario Shoreline Management Plan", December 1990, or as identified in the "Cramahe Shorelands Project", December 1997 for the Township of Cramahe or in the document entitled "Alnwick/Haldimand Lake Ontario Shorelands Project", September 2003, for the Township of Alnwick/Haldimand, which are available at or through the Authority at the address given in subclause (i),
- (iii) where a dynamic beach is associated with the waterfront lands, the appropriate allowance inland to accommodate dynamic beach movement shown in Table 7.1 of the document entitled "Lake Ontario Shoreline Management Plan", December 1990, or as identified in the document entitled "Cramahe Shorelands Project", December 1997, for the Township of Cramahe or in the document entitled "Alnwick/Haldimand Lake Ontario Shorelands Project", September 2003, for the Township of Alnwick/Haldimand, which are available at or through the Authority at the address given in subclause (i),
- (iv) 15 metres inland;
- (b) river or stream valleys that have depressional features associated with a river or stream, whether or not they contain a watercourse, the limits of which are determined in accordance with the following rules:
 - (i) where the river or stream valley is apparent and has stable slopes, the valley extends from the stable top of bank, plus 15 metres, to a similar point on the opposite side,
 - (ii) where the river or stream valley is apparent and has unstable slopes, the valley extends from the predicted long term stable slope projected from the existing stable slope or, if the toe of the slope is unstable, from the predicted location of the toe of the slope as a result of stream erosion over a projected 100-year period, plus 15 metres, to a similar point on the opposite side,
 - (iii) where the river or stream valley is not apparent, the valley extends the greater of,
 - (A) the distance from a point outside the edge of the maximum extent of the flood plain under the applicable flood event standard, plus 15 metres, to a similar point on the opposite side, and
 - (B) the distance from the predicted meander belt of a watercourse, expanded as required to convey the flood flows under the applicable flood event standard, plus 15 metres, to a similar point on the opposite side;
- (c) hazardous lands;
- (d) wetlands; or
- (e) other areas where development could interfere with the hydrologic function of a wetland, including areas within 120 metres of all provincially significant wetlands and areas within 30 metres of all other wetlands, except where development has been approved pursuant to an application made under the *Planning Act* or other public planning or regulatory process.

(2) The areas described in subsection (1) are the areas referred to in section 12 except that, in case of a conflict, the description of the areas provided in subsection (1) prevails over the descriptions referred to in that section.

Permission to develop

3. (1) The Authority may grant permission for development in or on the areas described in subsection 2 (1) if, in its opinion, the control of flooding, erosion, dynamic beaches, pollution or the conservation of land will not be affected by the development.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

4. A signed application for permission to undertake development shall be filed with the Authority and shall contain the following information:

1. Four copies of a plan of the area showing the type and location of the development.
2. The proposed use of the buildings and structures following completion of the development.
3. The start and completion dates of the development.
4. The elevations of existing buildings, if any, and grades and the proposed elevations of buildings and grades after development.
5. Drainage details before and after development.
6. A complete description of the type of fill proposed to be placed or dumped.

Alterations prohibited

5. Subject to section 6, no person shall straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse or change or interfere in any way with a wetland.

Permission to alter

6. (1) The Authority may grant a person permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or to change or interfere with a wetland.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

7. A signed application for permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or change or interfere with a wetland shall be filed with the Authority and shall contain the following information:

1. Four copies of a plan of the area showing plan view and cross-section details of the proposed alteration.
2. A description of the methods to be used in carrying out the alteration.
3. The start and completion dates of the alteration.
4. A statement of the purpose of the alteration.

Cancellation of permission

8. (1) The Authority may cancel a permission if it is of the opinion that the conditions of the permission have not been met.

(2) Before cancelling a permission, the Authority shall give a notice of intent to cancel to the holder of the permission indicating that the permission will be cancelled unless the holder shows cause at a hearing why the permission should not be cancelled.

(3) Following the giving of the notice, the Authority shall give the holder at least five days notice of the date of the hearing.

Validity of permissions and extensions

9. (1) A permission of the Authority is valid for a maximum period of 24 months after it is issued, unless it is specified to expire at an earlier date.

(2) A permission shall not be extended.

Appointment of officers

10. The Authority may appoint officers to enforce this Regulation.

Flood event standards

11. (1) The applicable flood event standards used to determine the maximum susceptibility to flooding of lands or areas within the watersheds in the area of jurisdiction of the Authority are the Timmins Flood Event Standard and the 100 year flood level plus wave uprush, described in Schedule 1.

(2) The Timmins Flood Event Standard applies to all watersheds within the area of jurisdiction of the Authority except for,

(a) the main channels of Rice Lake and Trent River, where the applicable standard is rainfall or snowmelt, or a combination of rainfall and snowmelt, that would produce the water surface elevations above Canadian Geodetic Datum described in Table 1;

(b) Lake Ontario in the Great Lakes-St. Lawrence River System where the 100 year flood level plus wave uprush applies.

TABLE 1
WATER SURFACE ELEVATIONS

| Location | Elevation |
|----------------------------|--------------|
| Rice Lake | 187.9 metres |
| Trent River: | |
| Below Dam #1 (Trenton) | 77.2 metres |
| Below Dam #2 (Sidney) | 81.3 metres |
| Below Dam #3 (Glen Miller) | 87.7 metres |
| Below Dam #4 (Batawa) | 95.7 metres |
| Below Dam #5 (Trent) | 101.7 metres |
| Below Dam #6 (Frankford) | 107.9 metres |

| Location | Elevation |
|------------------------------|--------------|
| Below Dam #7 (Glen Ross) | 113.5 metres |
| Below Dam #8 (Meyers) | 117.9 metres |
| Below Dam #9 (Hagues Reach) | 128.1 metres |
| Below Dam #10 (Ranney Falls) | 143.4 metres |
| Below Dam #11 (Campbellford) | 148.3 metres |
| Below Dam #12 (Crowe Bay) | 154.3 metres |
| Below Dam #13 (Healy Falls) | 175.5 metres |
| Below Dam #14 (Hastings) | 186.7 metres |

Areas included in the Regulation Limit

12. Hazardous lands, wetlands, shorelines, areas susceptible to flooding and associated allowances within the watersheds in the area of jurisdiction of the Authority, including but not limited to, those areas delineated by the Regulation Limit shown on maps 1 to 95 dated December 2005 and filed at the head office of the Authority at 714 Murray Street, RR#1, Trenton, Ontario K8V 5P4 under the map title "Ontario Regulation 97/04: Regulation for Development, Interference with Wetlands and Alterations to Shorelines and Watercourses".

Revocation

13. Regulation 156 of the Revised Regulations of Ontario, 1990 is revoked.

SCHEDULE 1

1. The Timmins Flood Event Standard means a storm that produces over a 12-hour period,
 - (a) in a drainage area of 25 square kilometres or less, rainfall that has the distribution set out in Table 2; or
 - (b) in a drainage area of more than 25 square kilometres, rainfall such that the number of millimetres of rain referred to in each case in Table 2 shall be modified by the percentage amount shown in Column 2 of Table 3 opposite the size of the drainage area set out opposite thereto in Column 1 of Table 3.

TABLE 2

| |
|---|
| 15 millimetres of rain in the first hour |
| 20 millimetres of rain in the second hour |
| 10 millimetres of rain in the third hour |
| 3 millimetres of rain in the fourth hour |
| 5 millimetres of rain in the fifth hour |
| 20 millimetres of rain in the sixth hour |
| 43 millimetres of rain in the seventh hour |
| 20 millimetres of rain in the eighth hour |
| 23 millimetres of rain in the ninth hour |
| 13 millimetres of rain in the tenth hour |
| 13 millimetres of rain in the eleventh hour |
| 8 millimetres of rain in the twelfth hour |

TABLE 3

| Column 1 | Column 2 |
|-----------------------------------|------------|
| Drainage Area (Square Kilometres) | Percentage |
| 26 to 50 both inclusive | 97 |
| 51 to 75 both inclusive | 94 |
| 76 to 100 both inclusive | 90 |
| 101 to 150 both inclusive | 87 |
| 151 to 200 both inclusive | 84 |
| 201 to 250 both inclusive | 82 |
| 251 to 375 both inclusive | 79 |
| 376 to 500 both inclusive | 76 |
| 501 to 750 both inclusive | 74 |
| 751 to 1000 both inclusive | 70 |
| 1001 to 1250 both inclusive | 68 |
| 1251 to 1500 both inclusive | 66 |
| 1501 to 1800 both inclusive | 65 |
| 1801 to 2100 both inclusive | 64 |
| 2101 to 2300 both inclusive | 63 |

| Column 1 | Column 2 |
|-----------------------------------|------------|
| Drainage Area (Square Kilometres) | Percentage |
| 2301 to 2600 both inclusive | 62 |
| 2601 to 3900 both inclusive | 58 |
| 3901 to 5200 both inclusive | 56 |
| 5201 to 6500 both inclusive | 53 |
| 6501 to 8000 both inclusive | 50 |

2. The 100 year flood level means the peak instantaneous still water level plus an allowance for wave uprush and other water-related hazards that has a probability of occurrence of one per cent during any given year.

Made by:

LOWER TRENT REGION CONSERVATION AUTHORITY:

JIM HARRISON
Chair

JIM KELLEHER
General Manager

Date made: April 27, 2006.

I certify that I have approved this Regulation.

DAVID JAMES RAMSAY
Minister of Natural Resources

Date approved: May 4, 2006.

20/06

ONTARIO REGULATION 164/06
made under the
CONSERVATION AUTHORITIES ACT

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**MAITLAND VALLEY CONSERVATION AUTHORITY: REGULATION OF DEVELOPMENT,
INTERFERENCE WITH WETLANDS AND ALTERATIONS TO SHORELINES AND
WATERCOURSES**

Definition

1. In this Regulation,

“Authority” means the Maitland Valley Conservation Authority.

Development prohibited

2. (1) Subject to section 3, no person shall undertake development, or permit another person to undertake development in or on the areas within the jurisdiction of the Authority that are,

- (a) adjacent or close to the shoreline of the Great Lakes-St. Lawrence River System or to inland lakes that may be affected by flooding, erosion or dynamic beaches, including the area from the furthest offshore extent of the Authority's boundary to the furthest landward extent of the aggregate of the following distances:
 - (i) the 100 year flood level, plus a 15 metre allowance for wave uprush and other water-related hazards,
 - (ii) the predicted long term stable slope projected from the existing stable toe of the slope or from the predicted location of the toe of the slope as that location may have shifted as a result of shoreline erosion over a 100-year period,
 - (iii) where a dynamic beach is associated with the waterfront lands, a 30 metre allowance inland to accommodate dynamic beach movement,
 - (iv) 15 metres inland;
- (b) river or stream valleys that have depressional features associated with a river or stream, whether or not they contain a watercourse, the limits of which are determined in accordance with the following rules:
 - (i) where the river or stream valley is apparent and has stable slopes, the valley extends from the stable top of bank, plus 15 metres, to a similar point on the opposite side,
 - (ii) where the river or stream valley is apparent and has unstable slopes, the valley extends from the predicted long term stable slope projected from the existing stable slope or, if the toe of the slope is unstable, from the predicted location of the toe of the slope as a result of stream erosion over a projected 100-year period, plus 15 metres, to a similar point on the opposite side,
 - (iii) where the river or stream valley is not apparent, the valley extends the greater of,
 - (A) the distance from a point outside the edge of the maximum extent of the flood plain under the applicable flood event standard, plus an allowance not to exceed 15 metres, to a similar point on the opposite side, and
 - (B) the distance from the predicted meander belt of a watercourse, expanded as required to convey the flood flows under the applicable flood event standard, plus 15 metres, to a similar point on the opposite side;
- (c) hazardous lands;
- (d) wetlands; or
- (e) other areas where development could interfere with the hydrologic function of a wetland, including areas within 120 metres of all provincially significant wetlands and 30 metres of all other wetlands, but not including those where development has been approved pursuant to an application made under the *Planning Act* or other public planning or regulatory process.

(2) The areas described in subsection (1) are the areas referred to in section 12 except that, in case of a conflict, the description of the areas provided in subsection (1) prevails over the descriptions referred to in that section.

Permission to develop

3. (1) The Authority may grant permission for development in or on the areas described in subsection 2 (1) if, in its opinion, the control of flooding, erosion, dynamic beaches, pollution or the conservation of land will not be affected by the development.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

4. A signed application for permission to undertake development shall be filed with the Authority and shall contain the following information:

1. Four copies of a plan of the area showing the type and location of the development.
2. The proposed use of the buildings and structures following completion of the development.
3. The start and completion dates of the development.
4. The elevations of existing buildings, if any, and grades and the proposed elevations of buildings and grades after development.
5. Drainage details before and after development.
6. A complete description of the type of fill proposed to be placed or dumped.

Alterations prohibited

5. Subject to section 6, no person shall straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse or change or interfere in any way with a wetland.

Permission to alter

6. (1) The Authority may grant a person permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or to change or interfere with a wetland.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

7. A signed application for permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or change or interfere with a wetland shall be filed with the Authority and shall contain the following information:

1. Four copies of a plan of the area showing plan view and cross-section details of the proposed alteration.
2. A description of the methods to be used in carrying out the alteration.
3. The start and completion dates of the alteration.
4. A statement of the purpose of the alteration.

Cancellation of permission

8. (1) The Authority may cancel a permission if it is of the opinion that the conditions of the permission have not been met.

(2) Before cancelling a permission, the Authority shall give a notice of intent to cancel to the holder of the permission indicating that the permission will be cancelled unless the holder shows cause at a hearing why the permission should not be cancelled.

(3) Following the giving of the notice, the Authority shall give the holder at least five days notice of the date of the hearing.

Validity of permissions and extensions

9. (1) A permission of the Authority is valid for a maximum period of 24 months after it is issued, unless it is specified to expire at an earlier date.

(2) A permission shall not be extended.

Appointment of officers

10. The Authority may appoint officers to enforce this Regulation.

Flood event standards

11. The applicable flood event standards used to determine the maximum susceptibility to flooding of lands or areas within the watersheds in the area of jurisdiction of the Authority are the Hurricane Hazel Flood Event Standard, the 100 Year Flood Event Standard and the 100 year flood level plus wave uprush, described in Schedule 1.

Areas included in the Regulation Limit

12. Hazardous lands, wetlands, shorelines and areas susceptible to flooding, and associated allowances, within the watersheds in the area of jurisdiction of the Authority are delineated by the Regulation Limit shown on maps 1 to 166 dated February, 2006 and filed at the head office of the Authority at 1093 Marietta Street, Wroxeter, Ontario under the map title "Ontario Regulation 97/04: Development, Interference with Wetlands and Alterations to Shorelines and Watercourses".

Revocation

13. Ontario Regulation 22/91 is revoked.

SCHEDULE 1

1. The Hurricane Hazel Flood Event Standard means a storm that produces over a 48-hour period,
 - (a) in a drainage area of 25 square kilometres or less, rainfall that has the distribution set out in Table 1; or
 - (b) in a drainage area of more than 25 square kilometres, rainfall such that the number of millimetres of rain referred to in each case in Table 1 shall be modified by the percentage amount shown in Column 2 of Table 2 opposite the size of the drainage area set out opposite thereto in Column 1 of Table 2.

TABLE 1

| |
|--|
| 73 millimetres of rain in the first 36 hours |
| 6 millimetres of rain in the 37th hour |
| 4 millimetres of rain in the 38th hour |
| 6 millimetres of rain in the 39th hour |
| 13 millimetres of rain in the 40th hour |
| 17 millimetres of rain in the 41st hour |
| 13 millimetres of rain in the 42nd hour |
| 23 millimetres of rain in the 43rd hour |
| 13 millimetres of rain in the 44th hour |
| 13 millimetres of rain in the 45th hour |
| 53 millimetres of rain in the 46th hour |
| 38 millimetres of rain in the 47th hour |
| 13 millimetres of rain in the 48th hour |

TABLE 2

| Column 1 | Column 2 |
|-----------------------------------|------------|
| Drainage Area (square kilometres) | Percentage |
| 26 to 45 both inclusive | 99.2 |
| 46 to 65 both inclusive | 98.2 |
| 66 to 90 both inclusive | 97.1 |
| 91 to 115 both inclusive | 96.3 |
| 116 to 140 both inclusive | 95.4 |
| 141 to 165 both inclusive | 94.8 |
| 166 to 195 both inclusive | 94.2 |
| 196 to 220 both inclusive | 93.5 |
| 221 to 245 both inclusive | 92.7 |
| 246 to 270 both inclusive | 92.0 |
| 271 to 450 both inclusive | 89.4 |
| 451 to 575 both inclusive | 86.7 |
| 576 to 700 both inclusive | 84.0 |
| 701 to 850 both inclusive | 82.4 |
| 851 to 1000 both inclusive | 80.8 |
| 1001 to 1200 both inclusive | 79.3 |
| 1201 to 1500 both inclusive | 76.6 |
| 1501 to 1700 both inclusive | 74.4 |
| 1701 to 2000 both inclusive | 73.3 |
| 2001 to 2200 both inclusive | 71.7 |
| 2201 to 2500 both inclusive | 70.2 |
| 2501 to 2700 both inclusive | 69.0 |
| 2701 to 4500 both inclusive | 64.4 |
| 4501 to 6000 both inclusive | 61.4 |
| 6001 to 7000 both inclusive | 58.9 |
| 7001 to 8000 both inclusive | 57.4 |

2. The 100 Year Flood Event Standard means rainfall or snowmelt, or a combination of rainfall and snowmelt, producing at any location in a river, creek, stream or watercourse a peak flow that has a probability of occurrence of one per cent during any given year.

3. The 100 year flood level of Lake Huron means the peak instantaneous still water level plus an allowance for wave uprush and other water-related hazards that has a probability of occurrence of one per cent during any given year.

Made by:

MAITLAND VALLEY CONSERVATION AUTHORITY:

MARK BEAVEN
Chair

PHIL BEARD
General Manager/Secretary-Treasurer

Date made: April 27, 2006.

I certify that I have approved this Regulation.

DAVID JAMES RAMSAY
Minister of Natural Resources

Date approved: May 4, 2006.

20/06

ONTARIO REGULATION 165/06
made under the
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**MATTAGAMI REGION CONSERVATION AUTHORITY: REGULATION OF DEVELOPMENT,
INTERFERENCE WITH WETLANDS AND ALTERATIONS TO SHORELINES AND
WATERCOURSES**

Definition

1. In this Regulation,

“Authority” means the Mattagami Region Conservation Authority.

Development prohibited

2. (1) Subject to section 3, no person shall undertake development or permit another person to undertake development in or on the areas within the jurisdiction of the Authority that are,

- (a) adjacent or close to the shoreline of inland lakes that may be affected by flooding, erosion or dynamic beaches, including the area from the furthest offshore extent of the Authority's boundary to the furthest landward extent of the aggregate of the following distances:
- (i) the 100 year flood level, plus the appropriate allowance for wave uprush, which information is available at or through the Authority at its head office located at 100 Lakeshore Road, Timmins, Ontario, P4N 8R5,
 - (ii) the predicted long term stable slope projected from the existing stable toe of the slope or from the predicted location of the toe of the slope as that location may have shifted as a result of shoreline erosion over a 100-year period,

- (iii) where a dynamic beach is associated with the waterfront lands, a 15 metre allowance inland to accommodate dynamic beach movement, which information is available at or through the Authority at the address given in subclause (i), and
- (iv) 15 metres inland;
- (b) river or stream valleys that have depressional features associated with a river or stream, whether or not they contain a watercourse, the limits of which are determined in accordance with the following rules:
 - (i) where the river or stream valley is apparent and has stable slopes, the valley extends from the stable top of bank, plus 15 metres, to a similar point on the opposite side,
 - (ii) where the river or stream valley is apparent and has unstable slopes, the valley extends from the predicted long term stable slope projected from the existing stable slope or, if the toe of the slope is unstable from the predicted location of the toe of the slope as a result of stream erosion over a projected 100-year period, plus 15 metres, to a similar point on the opposite side,
 - (iii) where the river or stream valley is not apparent, the valley extends the greater of,
 - (A) the distance from a point outside the edge of the maximum extent of the flood plain under the applicable flood event standard, plus 15 metres, to a similar point on the opposite side, and
 - (B) the distance from the predicted meander belt of a watercourse, expanded as required to convey the flood flows under the applicable flood event standard, plus 15 metres, to a similar point on the opposite side;
- (c) hazardous lands;
- (d) wetlands; or
- (e) other areas where development could interfere with the hydrologic function of a wetland, including areas within 120 metres of all provincially significant wetlands and wetlands greater than 2 hectares in size, and areas within 30 metres of wetlands less than 2 hectares in size, but not including those where development has been approved pursuant to an application made under the *Planning Act* or other public planning or regulatory process.

(2) The areas described in subsection (1) are the areas referred to in section 12 except that, in case of a conflict, the description of the areas provided in subsection (1) prevails over the descriptions referred to in that section.

Permission to develop

3. (1) The Authority may grant permission for development in or on the areas described in subsection 2 (1) if, in its opinion, the control of flooding, erosion, dynamic beaches, pollution or the conservation of land will not be affected by the development.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

4. A signed application for permission to undertake development shall be filed with the Authority and shall contain the following information:

1. Four copies of a plan of the area showing the type and location of the development.
2. The proposed use of the buildings and structures following completion of the development.
3. The start and completion dates of the development.
4. The elevations of existing buildings, if any, and grades and the proposed elevations of buildings and grades after development.
5. Drainage details before and after development.
6. A complete description of the type of fill proposed to be placed or dumped.

Alterations prohibited

5. Subject to section 6, no person shall straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse or change or interfere in any way with a wetland.

Permission to alter

6. (1) The Authority may grant a person permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or to change or interfere with a wetland.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

7. A signed application for permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or change or interfere with a wetland shall be filed with the Authority and shall contain the following information:

1. Four copies of a plan of the area showing plan view and cross-section details of the proposed alteration.
2. A description of the methods to be used in carrying out the alteration.
3. The start and completion dates of the alteration.
4. A statement of the purpose of the alteration.

Cancellation of permission

8. (1) The Authority may cancel permission if it is of the opinion that the conditions of the permission have not been met.

(2) Before cancelling a permission, the Authority shall give a notice of intent to cancel to the holder of the permission indicating that the permission will be cancelled unless the holder shows cause at a hearing why the permission should not be cancelled.

(3) Following the giving of the notice, the Authority shall give the holder at least five days notice of the date of the hearing.

Validity of permissions and extensions

9. (1) A permission of the Authority is valid for a maximum period of 24 months after it is issued, unless it is specified to expire at an earlier date.

(2) A permission shall not be extended.

Appointment of officers

10. The Authority may appoint officers to enforce this Regulation.

Flood event standards

11. The flood event standards used to determine the maximum susceptibility to flooding of lands or areas within the watersheds in the area of jurisdiction of the Authority are the Timmins Flood Event Standard, the 100 Year Flood Event Standard and the 100 year flood level plus wave uprush as described in Schedule 1.

Areas included in the regulation limit

12. Hazardous lands, wetlands, shorelines and areas susceptible to flooding, and associated allowances, within the watershed in the jurisdiction of the Authority as shown on maps 1 (one) to 68 (sixty-eight) dated January 2006 and filed at the head office of the Authority at 100 Lakeshore Road, Timmins, Ontario under the map title "Ontario Regulation 97/04: Regulation for Development, Interference with Wetlands and Alterations to Shorelines and Watercourses".

Revocation

13. Regulation 157 of the Revised Regulations of Ontario, 1990 is revoked.

SCHEDULE 1

1. The Timmins Flood Event Standard means a storm that produces over a 12-hour period,
 - (a) in a drainage area of 25 square kilometres or less, rainfall that has the distribution set out in Table 1; or
 - (b) in a drainage area of more than 25 square kilometres, a rainfall such that the number of millimetres of rain referred to in each case in Table 1 shall be modified by the percentage amount in Column 2 of Table 2 opposite the size of the drainage area set out opposite thereto in Column 1 of Table 2.

TABLE 1

| |
|---|
| 15 millimetres of rain in the first hour |
| 20 millimetres of rain in the second hour |
| 10 millimetres of rain in the third hour |
| 3 millimetres of rain in the fourth hour |
| 5 millimetres of rain in the fifth hour |
| 20 millimetres of rain in the sixth hour |
| 43 millimetres of rain in the seventh hour |
| 20 millimetres of rain in the eighth hour |
| 23 millimetres of rain in the ninth hour |
| 13 millimetres of rain in the tenth hour |
| 13 millimetres of rain in the eleventh hour |
| 8 millimetres of rain in the twelfth hour |

TABLE 2

| Column 1 | Column 2 |
|-----------------------------|------------|
| Drainage Area (square km) | Percentage |
| 26 to 50 both inclusive | 97 |
| 51 to 75 both inclusive | 94 |
| 76 to 100 both inclusive | 90 |
| 101 to 150 both inclusive | 87 |
| 151 to 200 both inclusive | 84 |
| 201 to 250 both inclusive | 82 |
| 251 to 375 both inclusive | 79 |
| 376 to 500 both inclusive | 76 |
| 501 to 750 both inclusive | 74 |
| 751 to 1000 both inclusive | 70 |
| 1001 to 1250 both inclusive | 68 |
| 1251 to 1500 both inclusive | 66 |
| 1501 to 1800 both inclusive | 65 |
| 1801 to 2100 both inclusive | 64 |
| 2101 to 2300 both inclusive | 63 |
| 2301 to 2600 both inclusive | 62 |
| 2601 to 3900 both inclusive | 58 |
| 3901 to 5200 both inclusive | 56 |
| 5201 to 6500 both inclusive | 53 |
| 6501 to 8000 both inclusive | 50 |

2. The 100 Year Flood Event Standard means rainfall or snowmelt, or a combination of rainfall and snowmelt producing at any location in a river, creek, stream or watercourse, a peak flow that has a probability of occurrence of one per cent during any given year.

3. The 100 year flood level means the peak instantaneous still water level plus an allowance for wave uprush and other water-related hazards for Nighthawk Lake that has a probability of occurrence of one per cent during any given year.

Made by:

MATTAGAMI REGION CONSERVATION AUTHORITY:

GARY W. SCRIPNICK
Chair

KEES POLS
General Manager

Date made: April 27, 2006.

I certify that I have approved this Regulation.

DAVID JAMES RAMSAY
Minister of Natural Resources

Date approved: May 4, 2006.

20/06

ONTARIO REGULATION 166/06

made under the

CONSERVATION AUTHORITIES ACT

Made: April 28, 2006

Approved: May 4, 2006

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Published on e-Laws: May 8, 2006

Printed in *The Ontario Gazette*: May 20, 2006**TORONTO AND REGION CONSERVATION AUTHORITY: REGULATION OF
DEVELOPMENT, INTERFERENCE WITH WETLANDS AND ALTERATIONS TO SHORELINES
AND WATERCOURSES****Definition**

1. In this Regulation,

“Authority” means the Toronto and Region Conservation Authority.

Development prohibited

2. (1) Subject to section 3, no person shall undertake development, or permit another person to undertake development in or on the areas within the jurisdiction of the Authority that are,

(a) adjacent or close to the shoreline of the Great Lakes-St. Lawrence River System or to inland lakes that may be affected by flooding, erosion or dynamic beaches, including the area from the furthest offshore extent of the Authority's boundary to the furthest landward extent of the aggregate of the following distances:

(i) the 100 Year flood level, plus an allowance for wave uprush and other water related hazards,

(ii) the predicted long term stable slope projected from the existing stable toe of the slope or from the predicted location of the toe of the slope as that location may have shifted as a result of shoreline erosion over a 100-year period,

(iii) where a dynamic beach is associated with the waterfront lands, a 30 metre allowance inland to accommodate dynamic beach movement, and

(iv) an allowance of 15 metres inland;

(b) river or stream valleys that have depressional features associated with a river or stream, whether or not they contain a watercourse, the limits of which are determined in accordance with the following rules:

(i) where the river or stream valley is apparent and has stable slopes, the valley extends from the stable top of bank, plus 15 metres, to a similar point on the opposite side,

(ii) where the river or stream valley is apparent and has unstable slopes, the valley extends from the predicted long term stable slope projected from the existing stable slope or, if the toe of the slope is unstable, from the predicted location of the toe of the slope as a result of stream erosion over a projected 100-year period, plus 15 metres, to a similar point on the opposite side,

(iii) where the river or stream valley is not apparent, the valley extends the greater of,

(A) the distance from a point outside the edge of the maximum extent of the flood plain under the applicable flood event standard, plus 15 metres, to a similar point on the opposite side, and

(B) the distance from the predicted meander belt of a watercourse, expanded as required to convey the flood flows under the applicable flood event standard, plus 15 metres, to a similar point on the opposite side;

(c) hazardous lands;

(d) wetlands; or

(e) other areas where development could interfere with the hydrologic function of a wetland, including areas within 120 metres of all provincially significant wetlands and wetlands on the Oak Ridges Moraine, and within 30 metres of all other wetlands, but not including those areas where development has been approved pursuant to an application made under the *Planning Act* or other public planning or regulatory process.

(2) The areas described in subsection (1) are the areas referred to in section 12 except that, in case of a conflict, the description of the areas provided in subsection (1) prevails over the descriptions referred to in that section.

Permission to develop

3. (1) The Authority may grant permission for development in or on the areas described in subsection 2 (1) if, in its opinion, the control of flooding, erosion, dynamic beaches, pollution or the conservation of land will not be affected by the development.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

4. A signed application for permission to undertake development shall be filed with the Authority and shall contain the following information:

1. Four copies of a plan of the area showing the type and location of the development.
2. The proposed use of the buildings and structures following completion of the development.
3. The start and completion dates of the development.
4. The elevations of existing buildings, if any, and grades and the proposed elevations of buildings and grades after development.
5. Drainage details before and after development.
6. A complete description of the type of fill proposed to be placed or dumped.

Alterations prohibited

5. Subject to section 6, no person shall straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse or change or interfere in any way with a wetland.

Permission to alter

6. (1) The Authority may grant a person permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or to change or interfere with a wetland.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

7. A signed application for permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or change or interfere with a wetland shall be filed with the Authority and shall contain the following information:

1. Four copies of a plan of the area showing plan view and cross-section details of the proposed alteration.
2. A description of the methods to be used in carrying out the alteration.
3. The start and completion dates of the alteration.
4. A statement of the purpose of the alteration.

Cancellation of permission

8. (1) The Authority may cancel a permission if it is of the opinion that the conditions of the permission have not been met.

(2) Before cancelling a permission, the Authority shall give a notice of intent to cancel to the holder of the permission indicating that the permission will be cancelled unless the holder shows cause at a hearing why the permission should not be cancelled.

(3) Following the giving of the notice, the Authority shall give the holder at least five days notice of the date of the hearing.

Validity of permissions and extensions

9. (1) A permission of the Authority is valid for a maximum period of 24 months after it is issued, unless it is specified to expire at an earlier date.

(2) A permission shall not be extended.

Appointment of officers

10. The Authority may appoint officers to enforce this Regulation.

Flood event standards

11. The applicable flood event standards used to determine the maximum susceptibility to flooding of lands or areas within the watersheds in the area of jurisdiction of the Authority are the Hurricane Hazel Flood Event Standard, the 100 Year Flood Event Standard and the 100 year flood level plus wave uprush, described in Schedule 1.

Areas included in the Regulation Limit

12. Hazardous lands, wetlands, shorelines and areas susceptible to flooding, and associated allowances, within the watersheds in the area of jurisdiction of the Authority are delineated by the Regulation Limit shown on maps 1 to 132 dated April 2006 and filed at the head office of the Authority at 5 Shoreham Drive, Downsview, Ontario under the map title "Ontario Regulation 97/04: Regulation for Development, Interference with Wetlands and Alterations to Shorelines and Watercourses".

Revocation**13. Regulation 158 of the Revised Regulations of Ontario, 1990 is revoked.****SCHEDULE 1**

1. The Hurricane Hazel Flood Event Standard means a storm that produces over a 48-hour period,
 - (a) in a drainage area of 25 square kilometres or less, rainfall that has the distribution set out in Table 1; or
 - (b) in a drainage area of more than 25 square kilometres, rainfall such that the number of millimetres of rain referred to in each case in Table 1 shall be modified by the percentage amount shown in Column 2 of Table 2 opposite the size of the drainage area set out opposite thereto in Column 1 of Table 2.

TABLE 1

| |
|--|
| 73 millimetres of rain in the first 36 hours |
| 6 millimetres of rain in the 37th hour |
| 4 millimetres of rain in the 38th hour |
| 6 millimetres of rain in the 39th hour |
| 13 millimetres of rain in the 40th hour |
| 17 millimetres of rain in the 41st hour |
| 13 millimetres of rain in the 42nd hour |
| 23 millimetres of rain in the 43rd hour |
| 13 millimetres of rain in the 44th hour |
| 13 millimetres of rain in the 45th hour |
| 53 millimetres of rain in the 46th hour |
| 38 millimetres of rain in the 47th hour |
| 13 millimetres of rain in the 48th hour |

TABLE 2

| Column 1 | Column 2 |
|-----------------------------------|------------|
| Drainage Area (square kilometres) | Percentage |
| 26 to 45 both inclusive | 99.2 |
| 46 to 65 both inclusive | 98.2 |
| 66 to 90 both inclusive | 97.1 |
| 91 to 115 both inclusive | 96.3 |
| 116 to 140 both inclusive | 95.4 |
| 141 to 165 both inclusive | 94.8 |
| 166 to 195 both inclusive | 94.2 |
| 196 to 220 both inclusive | 93.5 |
| 221 to 245 both inclusive | 92.7 |
| 246 to 270 both inclusive | 92.0 |
| 271 to 450 both inclusive | 89.4 |
| 451 to 575 both inclusive | 86.7 |
| 576 to 700 both inclusive | 84.0 |
| 701 to 850 both inclusive | 82.4 |
| 851 to 1000 both inclusive | 80.8 |
| 1001 to 1200 both inclusive | 79.3 |
| 1201 to 1500 both inclusive | 76.6 |
| 1501 to 1700 both inclusive | 74.4 |
| 1701 to 2000 both inclusive | 73.3 |
| 2001 to 2200 both inclusive | 71.7 |
| 2201 to 2500 both inclusive | 70.2 |
| 2501 to 2700 both inclusive | 69.0 |
| 2701 to 4500 both inclusive | 64.4 |
| 4501 to 6000 both inclusive | 61.4 |
| 6001 to 7000 both inclusive | 58.9 |
| 7001 to 8000 both inclusive | 57.4 |

2. The 100 Year Flood Event Standard means rainfall or snowmelt, or a combination of rainfall and snowmelt, producing at any location in a river, creek, stream or watercourse, a peak flow that has a probability of occurrence of one per cent during any given year.

3. The 100 year flood level means the peak instantaneous still water level plus an allowance for wave uprush and other water-related hazards for Lake Ontario in the Great Lakes-St. Lawrence River System that has a probability of occurrence of one per cent during any given year.

Made by:

TORONTO AND REGION CONSERVATION AUTHORITY:

BRIAN DENNEY
CAO

DICK O'BRIEN
Chair

Date made: April 28, 2006.

I certify that I have approved this Regulation.

DAVID JAMES RAMSAY
Minister of Natural Resources

Date approved: May 4, 2006.

20/06

ONTARIO REGULATION 167/06
made under the
CONSERVATION AUTHORITIES ACT

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**OTONABEE REGION CONSERVATION AUTHORITY: REGULATION OF DEVELOPMENT,
INTERFERENCE WITH WETLANDS AND ALTERATIONS TO SHORELINES AND
WATERCOURSES**

Definition

1. In this Regulation,

“Authority” means the Otonabee Region Conservation Authority.

Development prohibited

2. (1) Subject to section 3, no person shall undertake development or permit another person to undertake development in or on the areas within the jurisdiction of the Authority that are,

(a) river or stream valleys that have depressional features associated with a river or stream, whether or not they contain a watercourse, the limits of which are determined in accordance with the following rules:

- (i) where the river or stream valley is apparent and has stable slopes, the valley extends from the stable top of bank, plus 15 metres, to a similar point on the opposite side,
- (ii) where the river or stream valley is apparent and has unstable slopes, the valley extends from the predicted long term stable slope, projected from the existing stable slope or, if the toe of the slope is unstable, from the predicted location of the toe of the slope as a result of stream erosion over a projected 100-year period, plus 15 metres, to a similar point on the opposite side,
- (iii) where the river or stream valley is not apparent, the valley extends the greater of:
 - (A) the distance from a point outside the edge of the maximum extent of the flood plain under the applicable flood event standard, plus 15 metres, to a similar point on the opposite side, or
 - (B) the distance from the predicted meander belt of a watercourse, expanded as required to convey the flood flows under the applicable flood event standard, plus 15 metres, to a similar point on the opposite side;
- (b) hazardous lands;
- (c) wetlands; or
- (d) other areas where development could interfere with the hydrologic function of a wetland, including areas within 120 metres of all provincially significant wetlands and 30 metres of all other wetlands, but not including those where development has been approved pursuant to an application made under the *Planning Act* or other public planning or regulatory process.

(2) The areas described in subsection (1) are the areas referred to in section 12, except that in case of conflict, the description of the areas provided in subsection (1) prevails over the descriptions referred to in section 12.

Permission to develop

3. (1) The Authority may grant permission for development in or on the areas described in subsection 2 (1) if, in its opinion, the control of flooding, erosion, dynamic beaches, pollution or the conservation of land will not be affected by the development.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

4. A signed application for permission to undertake development shall be filed with the Authority and shall contain the following information:

- 1. Four copies of a plan of the area showing the type and location of the development.
- 2. The proposed use of the buildings and structures following completion of the development.
- 3. The start and completion dates of the development.
- 4. The elevations of existing buildings, if any, and grades and the proposed elevations of buildings and grades after development.
- 5. Drainage details before and after development.
- 6. A complete description of the type of fill proposed to be placed or dumped.

Alterations prohibited

5. Subject to section 6, no person shall straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse or change or interfere in any way with a wetland.

Permission to alter

6. (1) The Authority may grant a person permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or to change or interfere with a wetland.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

7. A signed application for permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or change or interfere with a wetland shall be filed with the Authority and shall contain the following information:

- 1. Four copies of a plan of the area showing plan view and cross-section details of the proposed alteration.
- 2. A description of the methods to be used in carrying out the alteration.
- 3. The start and completion dates of the alteration.
- 4. A statement of the purpose of the alteration.

Cancellation of permission

8. (1) The Authority may cancel a permission, if it is of the opinion that the conditions of the permission have not been met.

(2) Before cancelling a permission, the Authority shall give notice of intent to cancel to the holder of the permission indicating that the permission will be cancelled unless the holder shows cause at a hearing why the permission should not be cancelled.

(3) Following the giving of the notice, the Authority shall give the holder at least five days notice of the date of the hearing.

Validity of permissions and extensions

9. (1) A permission of the Authority is valid for a maximum period of 24 months after it is issued, unless specified to expire at an earlier date.

(2) A permission shall not be extended.

Appointment of officers

10. The Authority may appoint officers to enforce this Regulation.

Flood event standards

11. (1) The applicable flood event standards used to determine the maximum susceptibility to flooding of lands or areas within the watersheds in the area of jurisdiction of the Authority are the Timmins Flood Event Standard and the 100 Year Flood Event Standard, described in Schedule 1.

(2) The Timmins Flood Event Standard applies to all watersheds within the area of jurisdiction of the Authority except for,

(a) Rice Lake, Stony Lake, Clear Lake, Lovesick Lake, Deer Bay, Buckhorn Lake, Chemong Lake, Pigeon Lake, Katchiwanooka Lake and Lower Buckhorn Lake where the applicable standard is rainfall, snowmelt, or a combination of rainfall and snowmelt, that would produce the water surface elevations above Canadian Geodetic Datum described in Table 1.

TABLE 1
WATER SURFACE ELEVATIONS

| Column 1 | Column 2 |
|---------------------|-------------------------|
| Water Body | Water Surface Elevation |
| Rice Lake | 187.90 |
| Stony Lake | 235.95 |
| Clear Lake | 235.95 |
| Lovesick Lake | 242.16 |
| Deer Bay | 244.31 |
| Buckhorn Lake | 247.12 |
| Chemong Lake | 247.12 |
| Pigeon Lake | 247.12 |
| Katchiwanooka Lake | 233.68 |
| Lower Buckhorn Lake | 244.31 |

Areas included in the Regulation Limit

12. Hazardous lands, wetlands, watercourses, shorelines and areas susceptible to flooding, and associated allowances within the watersheds, in the area of jurisdiction of the Authority are delineated by the Regulation Limit shown on maps 1 to 85 dated January 2006 and filed at the head office of the Authority at 250 Milroy Drive, Peterborough Ontario, under the map title "Ontario Regulation 97/04: Regulation for Development, Interference with Wetlands and Alterations to Shorelines and Watercourses".

Revocation

13. Ontario Regulation 282/97 is revoked.

SCHEDULE 1

1. The Timmins Flood Event Standard means a storm that produces over a 12-hour period,

(a) in a drainage area of 25 square kilometers or less, rainfall that has the distribution set out in Table 2; or

(b) in a drainage area of more than 25 square kilometers, rainfall such that the number of millimeters of rain referred to in each case in Table 2 shall be modified by the percentage amount shown in Column 2 of Table 3 opposite the size of the drainage area set out opposite thereto in Column 1 of Table 3.

TABLE 2
TIMMINS FLOOD EVENT STANDARD

| |
|------------------------------------|
| 15 mm of rain in the first hour |
| 20 mm of rain in the second hour |
| 10 mm of rain in the third hour |
| 3 mm of rain in the fourth hour |
| 5 mm of rain in the fifth hour |
| 20 mm of rain in the sixth hour |
| 43 mm of rain in the seventh hour |
| 20 mm of rain in the eighth hour |
| 23 mm of rain in the ninth hour |
| 13 mm of rain in the tenth hour |
| 13 mm of rain in the eleventh hour |
| 8 mm of rain in the twelfth hour |

TABLE 3

| Column 1 | Column 2 |
|----------------------------------|------------|
| Drainage Area (km ²) | Percentage |
| 26 to 50 both inclusive | 97 |
| 51 to 75 both inclusive | 94 |
| 76 to 100 both inclusive | 90 |
| 101 to 150 both inclusive | 87 |
| 151 to 200 both inclusive | 84 |
| 201 to 250 both inclusive | 82 |
| 251 to 375 both inclusive | 79 |
| 376 to 500 both inclusive | 76 |
| 501 to 750 both inclusive | 74 |
| 751 to 1000 both inclusive | 70 |
| 1001 to 1250 both inclusive | 68 |
| 1251 to 1500 both inclusive | 66 |
| 1501 to 1800 both inclusive | 65 |
| 1801 to 2100 both inclusive | 64 |
| 2101 to 2300 both inclusive | 63 |
| 2301 to 2600 both inclusive | 62 |
| 2601 to 3900 both inclusive | 58 |
| 3901 to 5200 both inclusive | 56 |
| 5201 to 6500 both inclusive | 53 |
| 6501 to 8000 both inclusive | 50 |

2. The 100 Year Flood Event Standard means rainfall or snowmelt, or a combination of rainfall and snowmelt, producing at any location in a river, creek, stream or watercourse a peak flow that has the probability of occurrence of one per cent during any given year.

Made by:

OTONABEE REGION CONSERVATION AUTHORITY:

TERRY LOW
Chair

RICHARD D. HUNTER
Chief Administrative Officer

Date made: April 27, 2006.

I certify that I have approved this Regulation.

DAVID JAMES RAMSAY
Minister of Natural Resources

Date approved: May 4, 2006.

20/06

ONTARIO REGULATION 168/06
made under the
CONSERVATION AUTHORITIES ACT

Made: April 28, 2006
Approved: May 4, 2006
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Published on e-Laws: May 8, 2006
Printed in *The Ontario Gazette*: May 20, 2006

**GANARASKA REGION CONSERVATION AUTHORITY: REGULATION OF DEVELOPMENT,
INTERFERENCE WITH WETLANDS AND ALTERATIONS TO SHORELINES AND
WATERCOURSES**

Definition

1. In this Regulation,

“Authority” means the Ganaraska Region Conservation Authority.

Development prohibited

2. (1) Subject to section 3, no person shall undertake development, or permit another person to undertake development in or on the areas within the jurisdiction of the Authority that are,

(a) adjacent or close to the shoreline of the Great Lakes-St. Lawrence River System or to inland lakes that may be affected by flooding, erosion or dynamic beaches, including the area from the furthest offshore extent of the Authority’s boundary to the furthest landward extent of the aggregate of the following distances:

(i) the 100 year flood level, plus the appropriate allowance for wave uprush shown in the column headed “100 Year Flood Limit” found in Table 7.1 of the document entitled “Lake Ontario Shoreline Management Plan”, December 1990, which is available at or through the Authority at its head office located at 2216 Northumberland County Road 28, Port Hope, Ontario, L1A 3W4,

(ii) the predicted long term stable slope projected from the existing stable toe of the slope or from the predicted location of the toe of the slope as that location may have shifted as a result of shoreline erosion over a 100-year period,

(iii) where a dynamic beach is associated with the waterfront lands, the appropriate allowance inland to accommodate dynamic beach movement shown in the right-hand column of Table 7.1 of the document entitled “Lake Ontario Shoreline Management Plan”, December 1990, which is available at or through the Authority at the address given in subclause (i),

(iv) 15 metres inland;

(b) river or stream valleys that have depressional features associated with a river or stream, whether or not they contain a watercourse, the limits of which are determined in accordance with the following rules:

(i) where the river or stream valley is apparent and has stable slopes, the valley extends from the stable top of bank, plus 15 metres, to a similar point on the opposite side,

(ii) where the river or stream valley is apparent and has unstable slopes, the valley extends from the predicted long term stable slope projected from the existing stable slope or, if the toe of the slope is unstable, from the predicted

location of the toe of the slope as a result of stream erosion over a projected 100-year period, plus 15 metres, to a similar point on the opposite side,

(iii) where the river or stream valley is not apparent, the valley extends the greater of,

(A) the distance from a point outside the edge of the maximum extent of the flood plain under the applicable flood event standard, plus 15 metres, to a similar point on the opposite side, and

(B) the distance from the predicted meander belt of a watercourse, expanded as required to convey the flood flows under the applicable flood event standard, plus 15 metres, to a similar point on the opposite side;

(c) hazardous lands;

(d) wetlands; or

(e) other areas where development could interfere with the hydrologic function of a wetland, including areas within 120 metres of all provincially significant wetlands and wetlands greater than 2 hectares in size, and areas within 30 metres of wetlands less than 2 hectares, but not including those where development has been approved pursuant to an application made under the Planning Act or other public planning or regulatory process.

(2) The areas described in subsection (1) are the areas referred to in section 12 except that, in case of a conflict, the description of the areas provided in subsection (1) prevails over the descriptions referred to in that section.

Permission to develop

3. (1) The Authority may grant permission for development in or on the areas described in subsection 2 (1) if, in its opinion, the control of flooding, erosion, dynamic beaches, pollution or the conservation of land will not be affected by the development.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

4. A signed application for permission to undertake development shall be filed with the Authority and shall contain the following information:

1. Four copies of a plan of the area showing the type and location of the development.
2. The proposed use of the buildings and structures following completion of the development.
3. The start and completion dates of the development.
4. The elevations of existing buildings, if any, and grades and the proposed elevations of buildings and grades after development.
5. Drainage details before and after development.
6. A complete description of the type of fill proposed to be placed or dumped.

Alterations prohibited

5. Subject to section 6, no person shall straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse or change or interfere in any way with a wetland.

Permission to alter

6. (1) The Authority may grant a person permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or to change or interfere with a wetland.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

7. A signed application for permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or change or interfere with a wetland shall be filed with the Authority and shall contain the following information:

1. Four copies of a plan of the area showing plan view and cross-section details of the proposed alteration.
2. A description of the methods to be used in carrying out the alteration.
3. The start and completion dates of the alteration.
4. A statement of the purpose of the alteration.

Cancellation of permission

8. (1) The Authority may cancel a permission if it is of the opinion that the conditions of the permission have not been met.

(2) Before cancelling a permission, the Authority shall give a notice of intent to cancel to the holder of the permission indicating that the permission will be cancelled unless the holder shows cause at a hearing why the permission should not be cancelled.

(3) Following the giving of the notice, the Authority shall give the holder at least five days notice of the date of the hearing.

Validity of permissions and extensions

9. (1) A permission of the Authority is valid for a maximum period of 24 months after it is issued, unless it is specified to expire at an earlier date.

(2) A permission shall not be extended.

Appointment of officers

10. The Authority may appoint officers to enforce this Regulation.

Flood event standards

11. The applicable flood event standards used to determine the maximum susceptibility to flooding of lands or areas within the watersheds in the area of jurisdiction of the Authority are the Hurricane Hazel Flood Event Standard, the 100 Year Flood Event Standard and the 100 year flood level plus wave uprush, described in Schedule 1.

Areas included in the Regulation Limit

12. Hazardous lands, wetlands, shorelines and areas susceptible to flooding, and associated allowances within the watersheds in the area of jurisdiction of the Authority are delineated by the Regulation Limit shown on maps 1 to 45 dated January 2006 and filed at the head office of the Authority at 2216 Northumberland County Road 28, Port Hope, Ontario under the map title "Ontario Regulation 97/04: Regulation for Development, Interference with Wetlands and Alterations to Shorelines and Watercourses".

Revocation

13. Regulation 148 of the Revised Regulations of Ontario, 1990 is revoked.

SCHEDULE 1

1. The Hurricane Hazel Flood Event Standard means a storm that produces over a 48-hour period,
 - (a) in a drainage area of 25 square kilometres or less, rainfall that has the distribution set out in Table 1; or
 - (b) in a drainage area of more than 25 square kilometres, rainfall such that the number of millimetres of rain referred to in each case in Table 1 shall be modified by the percentage amount shown in Column 2 of Table 2 opposite the size of the drainage area set out opposite thereto in Column 1 of Table 2.

TABLE 1

| |
|--|
| 73 millimetres of rain in the first 36 hours |
| 6 millimetres of rain in the 37th hour |
| 4 millimetres of rain in the 38th hour |
| 6 millimetres of rain in the 39th hour |
| 13 millimetres of rain in the 40th hour |
| 17 millimetres of rain in the 41st hour |
| 13 millimetres of rain in the 42nd hour |
| 23 millimetres of rain in the 43rd hour |
| 13 millimetres of rain in the 44th hour |
| 13 millimetres of rain in the 45th hour |
| 53 millimetres of rain in the 46th hour |
| 38 millimetres of rain in the 47th hour |
| 13 millimetres of rain in the 48th hour |

TABLE 2

| Column 1 | Column 2 |
|-----------------------------------|------------|
| Drainage Area (square kilometres) | Percentage |
| 26 to 45 both inclusive | 99.2 |
| 46 to 65 both inclusive | 98.2 |
| 66 to 90 both inclusive | 97.1 |
| 91 to 115 both inclusive | 96.3 |
| 116 to 140 both inclusive | 95.4 |

| Column 1 | Column 2 |
|-----------------------------------|------------|
| Drainage Area (square kilometres) | Percentage |
| 141 to 165 both inclusive | 94.8 |
| 166 to 195 both inclusive | 94.2 |
| 196 to 220 both inclusive | 93.5 |
| 221 to 245 both inclusive | 92.7 |
| 246 to 270 both inclusive | 92.0 |
| 271 to 450 both inclusive | 89.4 |
| 451 to 575 both inclusive | 86.7 |
| 576 to 700 both inclusive | 84.0 |
| 701 to 850 both inclusive | 82.4 |
| 851 to 1000 both inclusive | 80.8 |
| 1001 to 1200 both inclusive | 79.3 |
| 1201 to 1500 both inclusive | 76.6 |
| 1501 to 1700 both inclusive | 74.4 |
| 1701 to 2000 both inclusive | 73.3 |
| 2001 to 2200 both inclusive | 71.7 |
| 2201 to 2500 both inclusive | 70.2 |
| 2501 to 2700 both inclusive | 69.0 |
| 2701 to 4500 both inclusive | 64.4 |
| 4501 to 6000 both inclusive | 61.4 |
| 6001 to 7000 both inclusive | 58.9 |
| 7001 to 8000 both inclusive | 57.4 |

2. The 100 Year Flood Event Standard means rainfall or snowmelt, or a combination of rainfall and snowmelt, producing at any location in a river creek, stream, or watercourse, a peak flow that has a probability of occurrence of one per cent during any given year.

3. The 100 year flood level means the peak instantaneous still water level plus an allowance for wave uprush and other water-related hazards for Lake Ontario in the Great Lakes-St. Lawrence River System, that has a probability of occurrence of one per cent during any given year.

Made by:

GANARASKA REGION CONSERVATION AUTHORITY:

JOHN MUTTON
Chair

LINDA LALIBERTE
General Manager/Secretary-Treasurer

Date made: April 28, 2006.

I certify that I have approved this Regulation.

DAVID JAMES RAMSAY
Minister of Natural Resources

Date approved: May 4, 2006.

20/06

ONTARIO REGULATION 169/06

made under the

CONSERVATION AUTHORITIES ACT

Made: April 27, 2006
Approved: May 4, 2006
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SAUGEEN VALLEY CONSERVATION AUTHORITY: REGULATION OF DEVELOPMENT, INTERFERENCE WITH WETLANDS AND ALTERATIONS TO SHORELINES AND WATERCOURSES

Definition

1. In this Regulation,

“Authority” means the Saugeen Valley Conservation Authority.

Development prohibited

2. (1) Subject to section 3, no person shall undertake development, or permit another person to undertake development in or on the areas within the jurisdiction of the Authority that are,

- (a) adjacent or close to the shoreline of the Great Lakes-St. Lawrence River System or to inland lakes that may be affected by flooding, erosion or dynamic beaches, including the area from the furthest offshore extent of the Authority’s boundary to the furthest landward extent of the aggregate of the following distances:
 - (i) the 100 year flood level, plus an allowance of 15 metres for wave uprush and other water-related hazards,
 - (ii) the predicted long term stable slope projected from the existing stable toe of the slope or from the predicted location of the toe of the slope as that location may have shifted as a result of shoreline erosion over a 100-year period,
 - (iii) where a dynamic beach is associated with the waterfront lands, an allowance of 30 metres inland to accommodate dynamic beach movement, or for the applicable area the appropriate allowance inland shown in the centre column of Table 2 of the document entitled “Assessment of Flood and Dynamic Beach Hazards Pilot Study, Town of Southampton”, February 1996, which is available at or through the Authority at its head office located at 261123 Grey Road 28, Municipality of West Grey, Ontario, N4N 3B8, and
 - (iv) 15 metres inland, except where there is a dynamic beach;
- (b) river or stream valleys that have depressional features associated with a river or stream, whether or not they contain a watercourse, the limits of which are determined in accordance with the following rules:
 - (i) where the river or stream valley is apparent and has stable slopes, the valley extends from the stable top of bank, plus 15 metres, to a similar point on the opposite side,
 - (ii) where the river or stream valley is apparent and has unstable slopes, the valley extends from the predicted long term stable slope projected from the existing stable slope or, if the toe of the slope is unstable, from the predicted location of the toe of the slope as a result of stream erosion over a projected 100-year period, plus 15 metres, to a similar point on the opposite side,
 - (iii) where the river or stream valley is not apparent, the valley extends the greater of,
 - (A) the distance from a point outside the edge of the maximum extent of the flood plain under the applicable flood event standard, plus 15 metres, to a similar point on the opposite side, and
 - (B) the distance from the predicted meander belt of a watercourse, expanded as required to convey the flood flows under the applicable flood event standard, plus 15 metres, to a similar point on the opposite side;
- (c) hazardous lands;
- (d) wetlands; or
- (e) other areas where development could interfere with the hydrologic function of a wetland, including areas within 120 metres of all provincially significant wetlands and within 30 metres of all other wetlands, but not including those areas where development has been approved pursuant to an application made under the *Planning Act* or other public planning or regulatory process.

(2) The areas described in subsection (1) are the areas referred to in section 12 except that, in case of a conflict, the description of the areas provided in subsection (1) prevails over the descriptions referred to in that section.

Permission to develop

3. (1) The Authority may grant permission for development in or on the areas described in subsection 2 (1) if, in its opinion, the control of flooding, erosion, dynamic beaches, pollution or the conservation of land will not be affected by the development.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

4. A signed application for permission to undertake development shall be filed with the Authority and shall contain the following information:

1. Four copies of a plan of the area showing the type and location of the development.
2. The proposed use of the buildings and structures following completion of the development.
3. The start and completion dates of the development.
4. The elevations of existing buildings, if any, and grades and the proposed elevations of buildings and grades after development.
5. Drainage details before and after development.
6. A complete description of the type of fill proposed to be placed or dumped.

Alterations prohibited

5. Subject to section 6, no person shall straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse or change or interfere in any way with a wetland.

Permission to alter

6. (1) The Authority may grant a person permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or to change or interfere with a wetland.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

7. A signed application for permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or change or interfere with a wetland shall be filed with the Authority and shall contain the following information:

1. Four copies of a plan of the area showing plan view and cross-section details of the proposed alteration.
2. A description of the methods to be used in carrying out the alteration.
3. The start and completion dates of the alteration.
4. A statement of the purpose of the alteration.

Cancellation of permission

8. (1) The Authority may cancel a permission if it is of the opinion that the conditions of the permission have not been met.

(2) Before cancelling a permission, the Authority shall give a notice of intent to cancel to the holder of the permission indicating that the permission will be cancelled unless the holder shows cause at a hearing why the permission should not be cancelled.

(3) Following the giving of the notice, the Authority shall give the holder at least five days notice of the date of the hearing.

Validity of permissions and extensions

9. (1) A permission of the Authority is valid for a maximum period of 24 months after it is issued, unless it is specified to expire at an earlier date.

(2) A permission shall not be extended.

Appointment of officers

10. The Authority may appoint officers to enforce this Regulation.

Flood event standards

11. The applicable flood event standards used to determine the maximum susceptibility to flooding of lands or areas within the watersheds in the area of jurisdiction of the Authority are the Hurricane Hazel Flood Event Standard, the 100 Year Flood Event Standard and the 100 year flood level plus wave uprush, described in Schedule 1.

Areas included in the Regulation Limit

12. Hazardous lands, wetlands, shorelines and areas susceptible to flooding, and associated allowances, within the watersheds in the area of jurisdiction of the Authority are delineated by the Regulation Limit shown on maps 1 to 238 dated November 2005 and filed at the head office of the Authority at 261123 Grey Road 28, Municipality of West Grey, Ontario, N4N 3B8 under the map title "Ontario Regulation 97/04: Regulation for Development, Interference with Wetlands and Alterations to Shorelines and Watercourses".

Revocation

13. Regulation 169 of the Revised Regulations of Ontario, 1990 is revoked.

SCHEDULE 1

1. The Hurricane Hazel Flood Event Standard means a storm that produces over a 48-hour period,
 - (a) in a drainage area of 25 square kilometres or less, rainfall that has the distribution set out in Table 1; or
 - (b) in a drainage area of more than 25 square kilometres, rainfall such that the number of millimetres of rain referred to in each case in Table 1 shall be modified by the percentage amount shown in Column 2 of Table 2 opposite the size of the drainage area set out opposite thereto in Column 1 of Table 2.

TABLE 1

| |
|--|
| 73 millimetres of rain in the first 36 hours |
| 6 millimetres of rain in the 37th hour |
| 4 millimetres of rain in the 38th hour |
| 6 millimetres of rain in the 39th hour |
| 13 millimetres of rain in the 40th hour |
| 17 millimetres of rain in the 41st hour |
| 13 millimetres of rain in the 42nd hour |
| 23 millimetres of rain in the 43rd hour |
| 13 millimetres of rain in the 44th hour |
| 13 millimetres of rain in the 45th hour |
| 53 millimetres of rain in the 46th hour |
| 38 millimetres of rain in the 47th hour |
| 13 millimetres of rain in the 48th hour |

TABLE 2

| Column 1 | Column 2 |
|-----------------------------------|------------|
| Drainage Area (square kilometres) | Percentage |
| 26 to 45 both inclusive | 99.2 |
| 46 to 65 both inclusive | 98.2 |
| 66 to 90 both inclusive | 97.1 |
| 91 to 115 both inclusive | 96.3 |
| 116 to 140 both inclusive | 95.4 |
| 141 to 165 both inclusive | 94.8 |
| 166 to 195 both inclusive | 94.2 |
| 196 to 220 both inclusive | 93.5 |
| 221 to 245 both inclusive | 92.7 |
| 246 to 270 both inclusive | 92.0 |
| 271 to 450 both inclusive | 89.4 |
| 451 to 575 both inclusive | 86.7 |
| 576 to 700 both inclusive | 84.0 |
| 701 to 850 both inclusive | 82.4 |
| 851 to 1000 both inclusive | 80.8 |
| 1001 to 1200 both inclusive | 79.3 |
| 1201 to 1500 both inclusive | 76.6 |
| 1501 to 1700 both inclusive | 74.4 |
| 1701 to 2000 both inclusive | 73.3 |

| Column 1 | Column 2 |
|-----------------------------------|------------|
| Drainage Area (square kilometres) | Percentage |
| 2001 to 2200 both inclusive | 71.7 |
| 2201 to 2500 both inclusive | 70.2 |
| 2501 to 2700 both inclusive | 69.0 |
| 2701 to 4500 both inclusive | 64.4 |
| 4501 to 6000 both inclusive | 61.4 |
| 6001 to 7000 both inclusive | 58.9 |
| 7001 to 8000 both inclusive | 57.4 |

2. The 100 Year Flood Event Standard means rainfall or snowmelt, or a combination of rainfall and snowmelt producing at any location in a river, creek, stream or watercourse a peak flow that has a probability of occurrence of one per cent during any given year.

3. The 100 year flood level means the peak instantaneous still water level plus an allowance for wave uprush and other water-related hazards for Lake Huron in the Great Lakes-St. Lawrence River System that has a probability of occurrence of one per cent during any given year.

Made by:

SAUGEEN VALLEY CONSERVATION AUTHORITY:

DOUGLAS C. FREIBURGER
Chairman

JAMES H. COFFEY
General Manager/Secretary-Treasurer

Date made: April 27, 2006.

I certify that I have approved this Regulation.

DAVID JAMES RAMSAY
Minister of Natural Resources

Date approved: May 4, 2006.

20/06

ONTARIO REGULATION 170/06
made under the
CONSERVATION AUTHORITIES ACT

Made: April 27, 2006
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**SOUTH NATION RIVER CONSERVATION AUTHORITY: REGULATION OF DEVELOPMENT,
INTERFERENCE WITH WETLANDS AND ALTERATIONS TO SHORELINES AND
WATERCOURSES**

Definition

1. In this Regulation,

“Authority” means the South Nation River Conservation Authority.

Development prohibited

2. (1) Subject to section 3, no person shall undertake development, or permit another person to undertake development in or on the areas within the jurisdiction of the Authority that are,

- (a) adjacent or close to the shoreline of the Great Lakes-St. Lawrence River System or to inland lakes that may be affected by flooding, erosion or dynamic beaches, including the area from the furthest offshore extent of the Authority’s boundary to the furthest landward extent of the aggregate of the following distances:
 - (i) the 100 year flood level, plus the appropriate allowance for wave uprush,
 - (ii) the predicted long term stable slope projected from the existing stable toe of the slope or from the predicted location of the toe of the slope as that location may have shifted as a result of shoreline erosion over a 100-year period,
 - (iii) where a dynamic beach is associated with the waterfront lands, a 30 metre allowance inland to accommodate dynamic beach movement,
 - (iv) 15 metres inland;
- (b) river or stream valleys that have depressional features associated with a river or stream, whether or not they contain a watercourse, the limits of which are determined in accordance with the following rules:
 - (i) where the river or stream valley is apparent and has stable slopes, the valley extends from the stable top of bank, plus 15 metres, to a similar point on the opposite side,
 - (ii) where the river or stream valley is apparent and has unstable slopes, the valley extends from the predicted long term stable slope projected from the existing stable slope or, if the toe of the slope is unstable, from the predicted location of the toe of the slope as a result of stream erosion over a projected 100-year period, plus 15 metres, to a similar point on the opposite side,
 - (iii) where the river or stream valley is not apparent, the valley extends the greater of,
 - (A) the distance from a point outside the edge of the maximum extent of the flood plain under the applicable flood event standard, plus 15 metres, to a similar point on the opposite side, and
 - (B) the distance from the predicted meander belt of a watercourse, expanded as required to convey the flood flows under the applicable flood event standard, plus 15 metres, to a similar point on the opposite side;
- (c) hazardous lands;
- (d) wetlands; or
- (e) other areas where development could interfere with the hydrologic function of a wetland, including areas within 120 metres of all provincially significant wetlands, and areas within 30 metres of all other wetlands, but not including those where development has been approved pursuant to an application made under the *Planning Act* or other public planning or regulatory process.

(2) The areas described in subsection (1) are the areas referred to in section 12 except that, in case of a conflict, the description of the areas provided in subsection (1) prevails over the descriptions referred to in that section.

Permission to develop

3. (1) The Authority may grant permission for development in or on the areas described in subsection 2 (1) if, in its opinion, the control of flooding, erosion, pollution or the conservation of land will not be affected by the development.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

4. A signed application for permission to undertake development shall be filed with the Authority and shall contain the following information:

- 1. Four copies of a plan of the area showing the type and location of the development.
- 2. The proposed use of the buildings and structures following completion of the development.
- 3. The start and completion dates of the development.
- 4. The elevations of existing buildings, if any, and grades and the proposed elevations of buildings and grades after development.
- 5. Drainage details before and after development.
- 6. A complete description of the type of fill proposed to be placed or dumped.

Alterations prohibited

5. Subject to section 6, no person shall straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse or change or interfere in any way with a wetland.

Permission to alter

6. (1) The Authority may grant a person permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or to change or interfere with a wetland.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

7. A signed application for permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or change or interfere with a wetland shall be filed with the Authority and shall contain the following information:

1. Four copies of a plan of the area showing plan view and cross-section details of the proposed alteration.
2. A description of the methods to be used in carrying out the alteration.
3. The start and completion dates of the alteration.
4. A statement of the purpose of the alteration.

Cancellation of permission

8. (1) The Authority may cancel a permission if it is of the opinion that the conditions of the permission have not been met.

(2) Before cancelling a permission, the Authority shall give a notice of intent to cancel to the holder of the permission indicating that the permission will be cancelled unless the holder shows cause at a hearing why the permission should not be cancelled.

(3) Following the giving of the notice, the Authority shall give the holder at least five days notice of the date of the hearing.

Validity of permissions and extensions

9. (1) A permission of the Authority is valid for a maximum period of 24 months after it is issued, unless it is specified to expire at an earlier date.

(2) A permission shall not be extended.

Appointment of officers

10. The Authority may appoint officers to enforce this Regulation.

Flood event standards

11. The applicable flood event standards used to determine the maximum susceptibility to flooding of lands or areas within the watersheds in the area of jurisdiction of the Authority are the 100 Year Flood Event Standard and the 100 year flood level plus wave uprush described in Schedule 1.

Areas included in the Regulation Limit

12. Hazardous lands, wetlands and areas susceptible to flooding and associated allowances, within the watersheds in the area of jurisdiction of the Authority are delineated by the Regulation Limit shown on maps 1 to 119 dated November 2005 and filed at the head office of the Authority at 15 Union Street, Berwick, Ontario under the map title "Ontario Regulation 97/04: Regulation for Development, Interference with Wetlands and Alterations to Shorelines and Watercourses".

Revocation

13. Ontario Regulation 724/94 is revoked.

SCHEDULE 1

1. The 100 Year Flood Event Standard means rainfall or snowmelt, or a combination of rainfall and snowmelt producing at any location in a river, creek, stream or watercourse a peak flow that has a probability of occurrence of one per cent during any given year.

2. The 100 year flood level means the peak instantaneous still water level plus an allowance for wave uprush and other water-related hazards for the St. Lawrence River in the Great Lakes-St. Lawrence River System that has a probability of occurrence of one per cent during any given year.

Made by:

SOUTH NATION RIVER CONSERVATION AUTHORITY:

GASTON PATENAUDE
Chair

DENNIS O'GRADY
General Manager

Date made: April 27, 2006.

I certify that I have approved this Regulation.

DAVID JAMES RAMSAY
Minister of Natural Resources

Date approved: May 4, 2006.

20/06

ONTARIO REGULATION 171/06

made under the

CONSERVATION AUTHORITIES ACT

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ST. CLAIR REGION CONSERVATION AUTHORITY: REGULATION OF DEVELOPMENT, INTERFERENCE WITH WETLANDS AND ALTERATIONS TO SHORELINES AND WATERCOURSES

Definition

1. In this Regulation,

“Authority” means the St. Clair Region Conservation Authority.

Development prohibited

2. (1) Subject to section 3, no person shall undertake development, or permit another person to undertake development in or on the areas within the jurisdiction of the Authority that are,

- (a) adjacent or close to the shoreline of the Great Lakes-St. Lawrence River System or to inland lakes that may be affected by flooding, erosion or dynamic beaches, including the area from the furthest offshore extent of the Authority's boundary to the furthest landward extent of the aggregate of the distance in subclause (i) or (ii), as applicable, and the distances referred to in the subclauses (iii), (iv) and (v),
- (i) for Lake Huron, the 100 year flood level, plus the appropriate allowance for wave uprush found in the document entitled “Lake Huron Shoreline Management Plan”, (St. Clair Region Conservation Authority, November 1996), which is available at or through the Authority at its head office located at 205 Mill Pond Crescent, Strathroy, Ontario, N7G 3P9,

- (ii) for Lake St. Clair and the St. Clair River, the 100 year flood level plus the allowance for wave uprush found in the document entitled "Great Lakes System Flood Levels and Water Related Hazards", (Ministry of Natural Resources, February 1989), which is available at or through the Authority at its head office located at 205 Mill Pond Crescent, Strathroy, Ontario, N7G 3P9,
- (iii) the predicted long term stable slope projected from the existing stable toe of the slope or from the predicted location of the toe of the slope as that location may have shifted as a result of shoreline erosion over a 100-year period,
- (iv) where a dynamic beach is associated with the waterfront lands, a 30 metre allowance inland to accommodate dynamic beach movement,
- (v) 15 metres inland;
- (b) river or stream valleys that have depressional features associated with a river or stream, whether or not they contain a watercourse, the limits of which are determined in accordance with the following rules:
 - (i) where the river or stream valley is apparent and has stable slopes, the valley extends from the stable top of bank, plus 15 metres, to a similar point on the opposite side,
 - (ii) where the river or stream valley is apparent and has unstable slopes, the valley extends from the predicted long term stable slope projected from the existing stable slope or, if the toe of the slope is unstable, from the predicted location of the toe of the slope as a result of stream erosion over a projected 100 year period, plus 15 metres, to a similar point on the opposite side,
 - (iii) where the river or stream valley is not apparent, the valley extends the greater of,
 - (A) the distance from a point outside the edge of the maximum extent of the flood plain under the applicable flood event standard, plus 15 metres, to a similar point on the opposite side, and
 - (B) the distance from the predicted meander belt of a watercourse, expanded as required to convey the flood flows under the applicable flood event standard, plus 15 metres, to a similar point on the opposite side;
- (c) hazardous lands;
- (d) wetlands; or
- (e) other areas where development could interfere with the hydrologic function of a wetland, including areas within 120 metres of all provincially significant wetlands, and areas within 30 metres of all other wetlands, but not including those where development has been approved pursuant to an application made under the *Planning Act* or other public planning or regulatory process.

(2) The areas described in subsection (1) are the areas referred to in section 12 except that, in case of a conflict, the description of the areas provided in subsection (1) prevails over the descriptions referred to in that section.

Permission to develop

3. (1) The Authority may grant permission for development in or on the areas described in subsection 2 (1) if, in its opinion, the control of flooding, erosion, dynamic beaches, pollution or the conservation of land will not be affected by the development.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

4. A signed application for permission to undertake development shall be filed with the Authority and shall contain the following information:

1. Four copies of a plan of the area showing the type and location of the development.
2. The proposed use of the buildings and structures following completion of the development.
3. The start and completion dates of the development.
4. The elevations of existing buildings, if any, and grades and the proposed elevations of buildings and grades after development.
5. Drainage details before and after development.
6. A complete description of the type of fill proposed to be placed or dumped.

Alterations prohibited

5. Subject to section 6, no person shall straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse or change or interfere in any way with a wetland.

Permission to alter

6. (1) The Authority may grant a person permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or to change or interfere with a wetland.
- (2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

7. A signed application for permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or change or interfere with a wetland shall be filed with the Authority and shall contain the following information:

1. Four copies of a plan of the area showing plan view and cross-section details of the proposed alteration.
2. A description of the methods to be used in carrying out the alteration.
3. The start and completion dates of the alteration.
4. A statement of the purpose of the alteration.

Cancellation of permission

8. (1) The Authority may cancel a permission if it is of the opinion that the conditions of the permission have not been met.

(2) Before cancelling a permission, the Authority shall give a notice of intent to cancel to the holder of the permission indicating that the permission will be cancelled unless the holder shows cause at a hearing why the permission should not be cancelled.

(3) Following the giving of the notice, the Authority shall give the holder at least five days notice of the date of the hearing.

Validity of permissions and extensions

9. (1) A permission of the Authority is valid for a maximum period of 24 months after it is issued, unless it is specified to expire at an earlier date.

(2) A permission shall not be extended.

Appointment of officers

10. The Authority may appoint officers to enforce this Regulation.

Flood event standards

11. (1) The applicable flood event standards used to determine the maximum susceptibility to flooding of lands or areas within the watersheds in the area of jurisdiction of the Authority are the Hurricane Hazel Flood Event Standard, the 100 Year Flood Event Standard and the 100 year flood level plus wave uprush, described in Schedule 1.

(2) The Hurricane Hazel Flood Event Standard applies to all watersheds within the area of jurisdiction of the Authority except for,

- (a) Perch Creek where the 100 Year Flood Event Standard applies; and
- (b) Lake Huron, Lake St. Clair and St. Clair River in the Great Lakes-St. Lawrence River System where the 100 year flood level plus wave uprush applies.

Areas included in the Regulation Limit

12. Hazardous lands, wetlands, shorelines and areas susceptible to flooding, and associated allowances, within the watersheds in the area of jurisdiction of the Authority are delineated by the Regulation Limit shown on maps, 1-203 filed at the head office of the Authority at 205 Mill Pond Crescent, Strathroy, Ontario under the map title "Ontario Regulation 97/04: Regulation for Development, Interference with Wetlands and Alterations to Shorelines and Watercourses" and dated August 2005.

Revocation

13. Regulation 167 of the Revised Regulations of Ontario, 1990 is revoked.

SCHEDULE 1

1. The Hurricane Hazel Flood Event Standard means a storm that produces over a 48-hour period,
 - (a) in a drainage area of 25 square kilometres or less, rainfall that has the distribution set out in Table 1; or

- (b) in a drainage area of more than 25 square kilometres, rainfall such that the number of millimetres of rain referred to in each case in Table 1 shall be modified by the percentage amount shown in Column 2 of Table 2 opposite the size of the drainage area set out opposite thereto in Column 1 of Table 2.

TABLE 1

| |
|--|
| 73 millimetres of rain in the first 36 hours |
| 6 millimetres of rain in the 37th hour |
| 4 millimetres of rain in the 38th hour |
| 6 millimetres of rain in the 39th hour |
| 13 millimetres of rain in the 40th hour |
| 17 millimetres of rain in the 41st hour |
| 13 millimetres of rain in the 42nd hour |
| 23 millimetres of rain in the 43rd hour |
| 13 millimetres of rain in the 44th hour |
| 13 millimetres of rain in the 45th hour |
| 53 millimetres of rain in the 46th hour |
| 38 millimetres of rain in the 47th hour |
| 13 millimetres of rain in the 48th hour |

TABLE 2

| Column 1 | Column 2 |
|-----------------------------------|------------|
| Drainage Area (square kilometres) | Percentage |
| 26 to 45 both inclusive | 99.2 |
| 46 to 65 both inclusive | 98.2 |
| 66 to 90 both inclusive | 97.1 |
| 91 to 115 both inclusive | 96.3 |
| 116 to 140 both inclusive | 95.4 |
| 141 to 165 both inclusive | 94.8 |
| 166 to 195 both inclusive | 94.2 |
| 196 to 220 both inclusive | 93.5 |
| 221 to 245 both inclusive | 92.7 |
| 246 to 270 both inclusive | 92.0 |
| 271 to 450 both inclusive | 89.4 |
| 451 to 575 both inclusive | 86.7 |
| 576 to 700 both inclusive | 84.0 |
| 701 to 850 both inclusive | 82.4 |
| 851 to 1000 both inclusive | 80.8 |
| 1001 to 1200 both inclusive | 79.3 |
| 1201 to 1500 both inclusive | 76.6 |
| 1501 to 1700 both inclusive | 74.4 |
| 1701 to 2000 both inclusive | 73.3 |
| 2001 to 2200 both inclusive | 71.7 |
| 2201 to 2500 both inclusive | 70.2 |
| 2501 to 2700 both inclusive | 69.0 |
| 851 to 1000 both inclusive | 80.8 |
| 1001 to 1200 both inclusive | 79.3 |
| 1201 to 1500 both inclusive | 76.6 |
| 1501 to 1700 both inclusive | 74.4 |
| 1701 to 2000 both inclusive | 73.3 |
| 2001 to 2200 both inclusive | 71.7 |
| 2201 to 2500 both inclusive | 70.2 |
| 2501 to 2700 both inclusive | 69.0 |
| 2701 to 4500 both inclusive | 64.4 |
| 4501 to 6000 both inclusive | 61.4 |
| 6001 to 7000 both inclusive | 58.9 |
| 7001 to 8000 both inclusive | 57.4 |

2. The 100 Year Flood Event Standard means rainfall or snowmelt, or a combination of rainfall and snowmelt producing at any location in a river, creek, stream or watercourse, a peak flow that has a probability of occurrence of one per cent during any given year.

3. The 100 year flood level means the peak instantaneous still water level plus an allowance for wave uprush and other water-related hazards that has a probability of occurrence of one per cent during any given year.

Made by:

ST. CLAIR REGION CONSERVATION AUTHORITY:

RALPH O. COE
General Manager

NORMAN GIFFEN
Chair

Date made: April 28, 2006.

I certify that I have approved this Regulation.

DAVID JAMES RAMSAY
Minister of Natural Resources

Date approved: May 4, 2006.

20/06

ONTARIO REGULATION 172/06
made under the
CONSERVATION AUTHORITIES ACT

Made: April 28, 2006
Approved: May 4, 2006
Filed: May 4, 2006
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Printed in *The Ontario Gazette*: May 20, 2006

**NOTTAWASAGA VALLEY CONSERVATION AUTHORITY: REGULATION OF
DEVELOPMENT, INTERFERENCE WITH WETLANDS AND ALTERATIONS TO SHORELINES
AND WATERCOURSES**

Definition

1. In this Regulation,

“Authority” means the Nottawasaga Valley Conservation Authority.

Development prohibited

2. (1) Subject to section 3, no person shall undertake development, or permit another person to undertake development in or on the areas within the jurisdiction of the Authority that are,

(a) adjacent or close to the shoreline of the Great Lakes-St. Lawrence River System or to inland lakes that may be affected by flooding, erosion or dynamic beaches, including the area from the furthest offshore extent of the Authority’s boundary to the furthest landward extent of the aggregate of the following distances:

- (i) the 100 year flood level, plus the appropriate allowance for wave uprush,
- (ii) the predicted long term stable slope projected from the existing stable toe of the slope or from the predicted location of the toe of the slope as that location may have shifted as a result of shoreline erosion over a 100-year period,

- (iii) where a dynamic beach is associated with the waterfront lands, a 30 metre allowance inland to accommodate dynamic beach movement,
 - (iv) 15 metres inland;
 - (b) river or stream valleys that have depressional features associated with a river or stream, whether or not they contain a watercourse, the limits of which are determined in accordance with the following rules:
 - (i) where the river or stream valley is apparent and has stable slopes, the valley extends from the stable top of bank, plus 15 metres, to a similar point on the opposite side,
 - (ii) where the river or stream valley is apparent and has unstable slopes, the valley extends from the predicted long term stable slope projected from the existing stable slope or, if the toe of the slope is unstable, from the predicted location of the toe of the slope as a result of stream erosion over a projected 100-year period, plus 15 metres, to a similar point on the opposite side,
 - (iii) where the river or stream valley is not apparent, the valley extends the greater of,
 - (A) the distance from a point outside the edge of the maximum extent of the flood plain under the applicable flood event standard, plus 15 metres, to a similar point on the opposite side, and
 - (B) the distance from the predicted meander belt of a watercourse, expanded as required to convey the flood flows under the applicable flood event standard, plus 15 metres, to a similar point on the opposite side;
 - (c) hazardous lands;
 - (d) wetlands; or
 - (e) other areas where development could interfere with the hydrologic function of a wetland, including areas within 120 metres of all provincially significant wetlands and wetlands greater than 2 hectares in size, and areas within 30 metres of wetlands less than 2 hectares in size, but not including those where development has been approved pursuant to an application made under the *Planning Act* or other public planning or regulatory process.
- (2) The areas described in subsection (1) are the areas referred to in section 12 except that, in case of a conflict, the description of the areas provided in subsection (1) prevails over the descriptions referred to in that section.

Permission to develop

3. (1) The Authority may grant permission for development in or on the areas described in subsection 2 (1) if, in its opinion, the control of flooding, erosion, dynamic beaches, pollution or the conservation of land will not be affected by the development.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

4. A signed application for permission to undertake development shall be filed with the Authority and shall contain the following information:

1. Four copies of a plan of the area showing the type and location of the development.
2. The proposed use of the buildings and structures following completion of the development.
3. The start and completion dates of the development.
4. The elevations of existing buildings, if any, and grades and the proposed elevations of buildings and grades after development.
5. Drainage details before and after development.
6. A complete description of the type of fill proposed to be placed or dumped.

Alterations prohibited

5. Subject to section 6, no person shall straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse or change or interfere in any way with a wetland.

Permission to alter

6. (1) The Authority may grant a person permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or to change or interfere with a wetland.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

7. A signed application for permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or change or interfere with a wetland shall be filed with the Authority and shall contain the following information:

1. Four copies of a plan of the area showing plan view and cross-section details of the proposed alteration.
2. A description of the methods to be used in carrying out the alteration.
3. The start and completion dates of the alteration.
4. A statement of the purpose of the alteration.

Cancellation of permission

8. (1) The Authority may cancel a permission if it is of the opinion that the conditions of the permission have not been met.

(2) Before cancelling a permission, the Authority shall give a notice of intent to cancel to the holder of the permission indicating that the permission will be cancelled unless the holder shows cause at a hearing why the permission should not be cancelled.

(3) Following the giving of the notice, the Authority shall give the holder at least five days notice of the date of the hearing.

Validity of permissions and extensions

9. (1) A permission of the Authority is valid for a maximum period of 24 months after it is issued, unless it is specified to expire at an earlier date.

(2) A permission shall not be extended.

Appointment of officers

10. The Authority may appoint officers to enforce this Regulation.

Flood event standards

11. The applicable flood event standards used to determine the maximum susceptibility to flooding of lands or areas within the watersheds in the area of jurisdiction of the Authority are the Timmins Storm Flood Event Standard, the 100 Year Flood Event Standard and the 100 year flood level plus wave uprush, described in Schedule 1.

Areas included in the Regulation Limit

12. Hazardous lands, wetlands, shorelines and areas susceptible to flooding, and associated allowances, within the watersheds in the area of jurisdiction of the Authority are delineated by the Regulation Limit shown on maps 1 to 132 dated September, 2005 and filed at the head office of the Authority at 8195 8th Line, Utopia, Ontario under the map title "Ontario Regulation 97/04: Regulation for Development, Interference with Wetlands and Alterations to Shorelines and Watercourses".

Revocation

13. Regulation 164 of the Revised Regulations of Ontario, 1990 is revoked.

SCHEDULE 1

1. The Timmins Flood Event Standard means a storm that produces over a 12-hour period,
 - (a) in a drainage area of 25 square kilometres or less, rainfall that has the distribution set out in Table 1; or
 - (b) in a drainage area of more than 25 square kilometres, a rainfall such that the number of millimetres of rain referred to in each case in Table 1 shall be modified by the percentage amount shown in Column 2 of Table 2 opposite the size of the drainage area set out opposite thereto in Column 1 of Table 2.

TABLE 1

| |
|------------------------------------|
| 15 mm of rain in the first hour |
| 20 mm of rain in the second hour |
| 10 mm of rain in the third hour |
| 3 mm of rain in the fourth hour |
| 5 mm of rain in the fifth hour |
| 20 mm of rain in the sixth hour |
| 43 mm of rain in the seventh hour |
| 20 mm of rain in the eighth hour |
| 23 mm of rain in the ninth hour |
| 13 mm of rain in the tenth hour |
| 13 mm of rain in the eleventh hour |
| 8 mm of rain in the twelfth hour |

TABLE 2

| Column 1 | Column 2 |
|-----------------------------------|------------|
| Drainage Area (square kilometres) | Percentage |
| 26 to 50 both inclusive | 97 |
| 51 to 75 both inclusive | 94 |
| 76 to 100 both inclusive | 90 |
| 101 to 150 both inclusive | 87 |
| 151 to 200 both inclusive | 84 |
| 201 to 250 both inclusive | 82 |
| 251 to 375 both inclusive | 79 |
| 376 to 500 both inclusive | 76 |
| 501 to 750 both inclusive | 74 |
| 751 to 1000 both inclusive | 70 |
| 1001 to 1250 both inclusive | 68 |
| 1251 to 1500 both inclusive | 66 |
| 1501 to 1800 both inclusive | 65 |
| 1801 to 2100 both inclusive | 64 |
| 2101 to 2300 both inclusive | 63 |
| 2301 to 2600 both inclusive | 62 |
| 2601 to 3900 both inclusive | 58 |
| 3901 to 5200 both inclusive | 56 |
| 5201 to 6500 both inclusive | 53 |
| 6501 to 8000 both inclusive | 50 |

2. The 100 Year Flood Event Standard means rainfall or snowmelt, or a combination of rainfall and snowmelt producing at any location in a river, creek, stream or watercourse, a peak flow that has a probability of occurrence of one per cent during any given year.

3. The 100 year flood level means the peak instantaneous still water level plus an allowance for wave uprush and other water-related hazards for Lake Ontario and Lake Erie in the Great Lakes-St. Lawrence River System that has a probability of occurrence of one per cent during any given year.

NOTTAWASAGA VALLEY CONSERVATION AUTHORITY:

FRED NIX
Chair

WAYNE R. WILSON
Chief Administrative Officer/Secretary-Treasurer

Date made: April 28, 2006.

I certify that I have approved this Regulation.

DAVID JAMES RAMSAY
Minister of Natural Resources

Date approved: May 4, 2006.

20/06

ONTARIO REGULATION 173/06

made under the

CONSERVATION AUTHORITIES ACT

Made: April 27, 2006

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PRINCE EDWARD REGION CONSERVATION AUTHORITY: REGULATION OF DEVELOPMENT, INTERFERENCE WITH WETLANDS AND ALTERATIONS TO SHORELINES AND WATERCOURSES

Definition

1. In this Regulation,

“Authority” means the Prince Edward Region Conservation Authority.

Development prohibited

2. (1) Subject to section 3, no person shall undertake development, or permit another person to undertake development in or on the areas within the jurisdiction of the Authority that are,

- (a) adjacent or close to the shoreline of the Great Lakes-St. Lawrence River System or to inland lakes that may be affected by flooding, erosion or dynamic beaches, including the area from the furthest offshore extent of the Authority’s boundary to the furthest landward extent of the aggregate of the following distances:
 - (i) the 100 year flood level, plus the appropriate allowance in metres for wave uprush and, if necessary, an appropriate allowance in metres for other water related hazards, including ice piling and ice jamming,
 - (ii) the predicted long term stable slope projected from the existing stable toe of the slope or from the predicted location of the toe of the slope as that location may have shifted as a result of shoreline erosion over a 100-year period,
 - (iii) where a dynamic beach is associated with the waterfront lands, a 30 metre allowance inland to accommodate dynamic beach movement,
 - (iv) 15 metres inland;
- (b) river or stream valleys that have depressional features associated with a river or stream, whether or not they contain a watercourse, the limits of which are determined in accordance with the following rules:
 - (i) where the river or stream valley is apparent and has stable slopes, the valley extends from the stable top of bank, plus 15 metres, to a similar point on the opposite side,
 - (ii) where the river or stream valley is apparent and has unstable slopes, the valley extends from the predicted long term stable slope projected from the existing stable slope or, if the toe of the slope is unstable, from the predicted location of the toe of the slope as a result of stream erosion over a projected 100-year period, plus 15 metres, to a similar point on the opposite side,
 - (iii) where the river or stream valley is not apparent, the valley extends the greater of,
 - (A) the distance from a point outside the edge of the maximum extent of the flood plain under the applicable flood event standard, plus 15 metres, to a similar point on the opposite side, and
 - (B) the distance from the predicted meander belt of a watercourse, expanded as required to convey the flood flows under the applicable flood event standard, plus 15 metres, to a similar point on the opposite side;
- (c) hazardous lands;
- (d) wetlands; or
- (e) other areas where development could interfere with the hydrologic function of a wetland, including areas within 120 metres of all provincially significant wetlands and wetlands greater than 2 hectares in size, and areas within 30 metres of wetlands less than 2 hectares in size, but not including those where development has been approved pursuant to an application made under the *Planning Act* or other public planning or regulatory process.

(2) The areas described in subsection (1) are the areas referred to in section 12 except that, in case of a conflict, the description of the areas provided in subsection (1) prevails over the descriptions referred to in that section.

Permission to develop

3. (1) The Authority may grant permission for development in or on the areas described in subsection 2 (1) if, in its opinion, the control of flooding, erosion, dynamic beaches, pollution or the conservation of land will not be affected by the development.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

4. A signed application for permission to undertake development shall be filed with the Authority and shall contain the following information:

1. Four copies of a plan of the area showing the type and location of the development.
2. The proposed use of the buildings and structures following completion of the development.
3. The start and completion dates of the development.
4. The elevations of existing buildings, if any, and grades and the proposed elevations of buildings and grades after development.
5. Drainage details before and after development.
6. A complete description of the type of fill proposed to be placed or dumped.

Alterations prohibited

5. Subject to section 6, no person shall straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse or change or interfere in any way with a wetland.

Permission to alter

6. (1) The Authority may grant a person permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or to change or interfere with a wetland.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

7. A signed application for permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or change or interfere with a wetland shall be filed with the Authority and shall contain the following information:

1. Four copies of a plan of the area showing plan view and cross-section details of the proposed alteration.
2. A description of the methods to be used in carrying out the alteration.
3. The start and completion dates of the alteration.
4. A statement of the purpose of the alteration.

Cancellation of permission

8. (1) The Authority may cancel a permission if it is of the opinion that the conditions of the permission have not been met.

(2) Before cancelling a permission, the Authority shall give a notice of intent to cancel to the holder of the permission indicating that the permission will be cancelled unless the holder shows cause at a hearing why the permission should not be cancelled.

(3) Following the giving of the notice, the Authority shall give the holder at least five days notice of the date of the hearing.

Validity of permissions and extensions

9. (1) A permission of the Authority is valid for a maximum period of 24 months after it is issued, unless it is specified to expire at an earlier date.

(2) A permission shall not be extended.

Appointment of officers

10. The Authority may appoint officers to enforce this Regulation.

Flood event standards

11. The applicable flood event standards used to determine the maximum susceptibility to flooding of lands or areas within the watersheds in the area of jurisdiction of the Authority are the 100 Year Flood Event Standard and the 100 year flood level plus wave uprush, described in Schedule 1.

Areas included in the Regulation Limit

12. Hazardous lands, wetlands, shorelines and areas susceptible to flooding, and associated allowances, within the watersheds in the area of jurisdiction of the Authority are delineated by the Regulation Limit shown on maps 1 to 74 dated September 2005 and filed at the head office of the Authority at 2061 Old Highway # 2, Belleville, Ontario under the map title "Ontario Regulation 97/04: Regulation for Development, Interference with Wetlands and Alterations to Shorelines and Watercourses".

Revocation

13. Ontario Regulation 417/94 is revoked.

SCHEDULE 1

1. The 100 Year Flood Event Standard means rainfall or snowmelt, or a combination of rainfall and snowmelt producing at any location in a river, creek, stream or watercourse, a peak flow that has a probability of occurrence of one per cent during any given year.

2. The 100 year flood level means the peak instantaneous still water level plus an allowance for wave uprush and other water-related hazards for Lake Ontario in the Great Lakes-St. Lawrence River System, that has a probability of occurrence of one per cent during any given year.

Made by:

PRINCE EDWARD REGION CONSERVATION AUTHORITY:

TERRY MURPHY
General Manager

GEORGE UNDERHILL
Chair

Date made: April 27, 2006.

I certify that I have approved this Regulation.

DAVID JAMES RAMSAY
Minister of Natural Resources

Date approved: May 4, 2006.

20/06

ONTARIO REGULATION 174/06

made under the

CONSERVATION AUTHORITIES ACT

Made: April 27, 2006
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**RIDEAU VALLEY CONSERVATION AUTHORITY:
REGULATION OF DEVELOPMENT, INTERFERENCE WITH WETLANDS AND
ALTERATIONS TO SHORELINES AND WATERCOURSES**

Definition

1. In this Regulation,

"Authority" means the Rideau Valley Conservation Authority.

Development prohibited

2. (1) Subject to section 3, no person shall undertake development, or permit another person to undertake development in or on the areas within the jurisdiction of the Authority that are,

- (a) adjacent or close to the shoreline of inland lakes that may be affected by flooding, erosion or dynamic beaches, including the area from the furthest offshore extent of the Authority's boundary to the furthest landward extent of the aggregate of the following distances:
 - (i) the 100 Year flood level,
 - (ii) the predicted long term stable slope projected from the existing stable toe of the slope or from the predicted location of the toe of the slope as that location may have shifted as a result of shoreline erosion over a 100-year period, and
 - (iii) 15 metres inland;
- (b) river or stream valleys that have depressional features associated with a river or stream, whether or not they contain a watercourse, the limits of which are determined in accordance with the following rules:
 - (i) where the river or stream valley is apparent and has stable slopes, the valley extends from the stable top of bank, plus 15 metres, to a similar point on the opposite side,
 - (ii) where the river or stream valley is apparent and has unstable slopes, the valley extends from the predicted long term stable slope projected from the existing stable slope or, if the toe of the slope is unstable, from the predicted location of the toe of the slope as a result of stream erosion over a projected 100-year period, plus 15 metres, to a similar point on the opposite side,
 - (iii) where the river or stream valley is not apparent, the valley extends the greater of,
 - (A) the distance from a point outside the edge of the maximum extent of the flood plain under the applicable flood event standard, plus 15 metres, to a similar point on the opposite side, and
 - (B) the distance from the predicted meander belt of a watercourse, expanded as required to convey the flood flows under the applicable flood event standard, plus 15 metres, to a similar point on the opposite side;
- (c) hazardous lands;
- (d) wetlands; or
- (e) other areas where development could interfere with the hydrologic function of a wetland, including areas within 120 metres of all provincially significant wetlands and wetlands greater than 2 hectares in size, and areas within 30 metres of wetlands less than 2 hectares in size, but not including those where development has been approved pursuant to an application made under the *Planning Act* or other public planning or regulatory process.

(2) The areas described in subsection (1) are the areas referred to in section 12 except that, in case of a conflict, the description of the areas provided in subsection (1) prevails over the descriptions referred to in that section.

Permission to develop

3. (1) The Authority may grant permission for development in or on the areas described in subsection 2 (1) if, in its opinion, the control of flooding, erosion, dynamic beaches, pollution or the conservation of land will not be affected by the development.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

4. A signed application for permission to undertake development shall be filed with the Authority and shall contain the following information:

- 1. Four copies of a plan of the area showing the type and location of the development.
- 2. The proposed use of the buildings and structures following completion of the development.
- 3. The start and completion dates of the development.
- 4. The elevations of existing buildings, if any, and grades and the proposed elevations of buildings and grades after development.
- 5. Drainage details before and after development.
- 6. A complete description of the type of fill proposed to be placed or dumped.

Alterations prohibited

5. Subject to section 6, no person shall straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse or change or interfere in any way with a wetland.

Permission to alter

6. (1) The Authority may grant a person permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or to change or interfere with a wetland.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

7. A signed application for permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or change or interfere with a wetland shall be filed with the Authority and shall contain the following information:

1. Four copies of a plan of the area showing plan view and cross-section details of the proposed alteration.
2. A description of the methods to be used in carrying out the alteration.
3. The start and completion dates of the alteration.
4. A statement of the purpose of the alteration.

Cancellation of permission

8. (1) The Authority may cancel a permission if it is of the opinion that the conditions of the permission have not been met.

(2) Before cancelling a permission, the Authority shall give a notice of intent to cancel to the holder of the permission indicating that the permission will be cancelled unless the holder shows cause at a hearing why the permission should not be cancelled.

(3) Following the giving of the notice, the Authority shall give the holder at least five days notice of the date of the hearing.

Validity of permissions and extensions

9. (1) A permission of the Authority is valid for a maximum period of 24 months after it is issued, unless it is specified to expire at an earlier date.

(2) A permission shall not be extended.

Appointment of officers

10. The Authority may appoint officers to enforce this Regulation.

Flood event standards

11. The applicable flood event standard used to determine the maximum susceptibility to flooding of lands or areas within the watersheds in the area of jurisdiction of the Authority is the 100 Year Flood Event Standard described in Schedule 1.

Areas included in the Regulation Limit

12. Hazardous lands, wetlands, shorelines and areas susceptible to flooding, and associated allowances, within the watersheds in the area of jurisdiction of the Authority are delineated by the Regulation Limit shown on maps 1 to 254 dated November 2005 and filed at the head office of the Authority at 1128 Mill Street (Manotick) in the City of Ottawa under the map title "Ontario Regulation 97/04: Regulation for Development, Interference with Wetlands and Alterations to Shorelines and Watercourses".

Revocation

13. Regulation 166 of the Revised Regulation of Ontario, 1990 is revoked.

SCHEDULE 1

1. The 100 Year Flood Event Standard means rainfall or snowmelt, or a combination of rainfall and snowmelt producing at any location in a river, creek, stream or watercourse, a peak flow that has a probability of occurrence of one per cent during any given year.

Made by:

RIDEAU VALLEY CONSERVATION AUTHORITY:

DELL R. HALLETT
General Manager

JOHN H. MILLER
Chair

Date made: April 27, 2006.

I certify that I have approved this Regulation.

DAVID JAMES RAMSAY
Minister of Natural Resources

Date approved: May 4, 2006.

20/06

ONTARIO REGULATION 175/06
made under the
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**RAISIN REGION CONSERVATION AUTHORITY: REGULATION OF DEVELOPMENT,
INTERFERENCE WITH WETLANDS AND ALTERATIONS TO SHORELINES AND
WATERCOURSES**

Definition

1. In this Regulation,

“Authority” means the Raisin Region Conservation Authority.

Development prohibited

2. (1) Subject to section 3, no person shall undertake development, or permit another person to undertake development in or on the areas within the jurisdiction of the Authority that are,

- (a) adjacent or close to the shoreline of the Great Lakes-St. Lawrence River System or to inland lakes that may be affected by flooding, erosion or dynamic beaches, including the area from the furthest offshore extent of the Authority's boundary to the furthest landward extent of the aggregate of the following distances:
 - (i) the 100 year flood level, for the St. Lawrence River System (Lake St. Lawrence, Hoople Bay, St. Lawrence River, and Lake St. Francis) plus the appropriate allowance for wave uprush as delineated in the document entitled “Shoreline Management Plan”, 1992, which is available at or through the Authority at its head office located at 18045 County Road 2, Cornwall, Ontario, K6H 5T2,
 - (ii) the predicted long term stable slope projected from the existing stable toe of the slope or from the predicted location of the toe of the slope as that location may have shifted as a result of shoreline erosion over a 100-year

period, as delineated in the document entitled "Shoreline Management Plan", 1992, which is available at or through the Authority at its head office located at 18045 County Road 2, Cornwall, Ontario, K6H 5T2,

- (iii) where a dynamic beach is associated with the waterfront lands, the appropriate allowance inland to accommodate dynamic beach movement, and
- (iv) 15 metres inland;
- (b) river or stream valleys that have depressional features associated with a river or stream, whether or not they contain a watercourse, the limits of which are determined in accordance with the following rules:
 - (i) where the river or stream valley is apparent and has stable slopes, the valley extends from the stable top of bank, plus 15 metres, to a similar point on the opposite side,
 - (ii) where the river or stream valley is apparent and has unstable slopes, the valley extends from the predicted long term stable slope projected from the existing stable slope or, if the toe of the slope is unstable, from the predicted location of the toe of the slope as a result of stream erosion over a projected 100-year period, plus 15 metres, to a similar point on the opposite side,
 - (iii) where the river or stream valley is not apparent, the valley extends the greater of,
 - (A) the distance from a point outside the edge of the maximum extent of the flood plain under the applicable flood event standard, plus 15 metres, to a similar point on the opposite side, and
 - (B) the distance from the predicted meander belt of a watercourse, expanded as required to convey the flood flows under the applicable flood event standard, plus 15 metres, to a similar point on the opposite side;
- (c) hazardous lands;
- (d) wetlands; or
- (e) other areas where development could interfere with the hydrologic function of a wetland, including areas within 120 metres of all provincially significant wetlands and wetlands greater than 2 hectares in size, and areas within 30 metres of wetlands less than 2 hectares in size, but not including those where development has been approved pursuant to an application made under the *Planning Act* or other public planning or regulatory process.

(2) The areas described in subsection (1) are the areas referred to in section 12 except that, in case of a conflict, the description of the areas provided in subsection (1) prevails over the descriptions referred to in that section.

Permission to develop

3. (1) The Authority may grant permission for development in or on the areas described in subsection 2 (1) if, in its opinion, the control of flooding, erosion, pollution or the conservation of land will not be affected by the development.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

4. A signed application for permission to undertake development shall be filed with the Authority and shall contain the following information:

1. Four copies of a plan of the area showing the type and location of the development.
2. The proposed use of the buildings and structures following completion of the development.
3. The start and completion dates of the development.
4. The elevations of existing buildings, if any, and grades and the proposed elevations of buildings and grades after development.
5. Drainage details before and after development.
6. A complete description of the type of fill proposed to be placed or dumped.

Alterations prohibited

5. Subject to section 6, no person shall straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse or change or interfere in any way with a wetland.

Permission to alter

6. (1) The Authority may grant a person permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or to change or interfere with a wetland.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

7. A signed application for permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or change or interfere with a wetland shall be filed with the Authority and shall contain the following information:

1. Four copies of a plan of the area showing plan view and cross-section details of the proposed alteration.
2. A description of the methods to be used in carrying out the alteration.
3. The start and completion dates of the alteration.
4. A statement of the purpose of the alteration.

Cancellation of permission

8. (1) The Authority may cancel a permission if it is of the opinion that the conditions of the permission have not been met.

(2) Before cancelling a permission, the Authority shall give a notice of intent to cancel to the holder of the permission indicating that the permission will be cancelled unless the holder shows cause at a hearing why the permission should not be cancelled.

(3) Following the giving of the notice, the Authority shall give the holder at least five days notice of the date of the hearing.

Validity of permissions and extensions

9. (1) A permission of the Authority is valid for a maximum period of 24 months after it is issued, unless it is specified to expire at an earlier date.

(2) A permission shall not be extended.

Appointment of officers

10. The Authority may appoint officers to enforce this Regulation.

Flood event standards

11. The applicable flood event standards used to determine the maximum susceptibility to flooding of lands or areas within the watersheds in the area of jurisdiction of the Authority are the 100 Year Flood Event Standard and the 100 year flood level plus wave uprush, described in Schedule 1.

Areas included in the Regulation Limit

12. Hazardous lands, wetlands, shorelines and areas susceptible to flooding, and associated allowances, within the watersheds in the area of jurisdiction of the Authority are delineated by the Regulation Limit shown on maps 1 to 95 dated December 2005 and filed at the head office of the Authority at 18045 County Road 2, Cornwall, Ontario under the map title "Ontario Regulation 97/04: Regulation for Development, Interference with Wetlands and Alterations to Shorelines and Watercourses".

Revocation

13. Regulation 140 of the Revised Regulations of Ontario, 1990 is revoked.

SCHEDULE 1

1. The 100 Year Flood Event Standard means rainfall or snowmelt, or a combination of rainfall and snowmelt producing at any location in a river, creek, stream or watercourse, a peak flow that has a probability of occurrence of one per cent during any given year.

2. The 100 Year flood level means the peak instantaneous still water level plus an allowance for wave uprush and other water-related hazards that has a probability of occurrence of one per cent during any given year.

Made by:

RAISIN REGION CONSERVATION AUTHORITY:

ROGER HOUDE
General Manager

BILL FRANKLIN
Chair

Date made: April 27, 2006.

I certify that I have approved this Regulation.

DAVID JAMES RAMSAY
Minister of Natural Resources

Date approved: May 4, 2006.

20/06

ONTARIO REGULATION 176/06
made under the
CONSERVATION AUTHORITIES ACT

Made: April 28, 2006
Approved: May 4, 2006
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**SAULT STE. MARIE REGION CONSERVATION AUTHORITY: REGULATION OF
DEVELOPMENT, INTERFERENCE WITH WETLANDS AND ALTERATIONS TO SHORELINES
AND WATERCOURSES**

Definition

1. In this Regulation,

“Authority” means the Sault Ste. Marie Region Conservation Authority.

Development prohibited

2. (1) Subject to section 3, no person shall undertake development, or permit another person to undertake development in or on the areas within the jurisdiction of the Authority that are,

(a) adjacent or close to the shoreline of the Great Lakes-St. Lawrence River System or to inland lakes that may be affected by flooding, erosion or dynamic beaches, including the area from the furthest offshore extent of the Authority’s boundary to the furthest landward extent of the aggregate of the following distances:

(i) the 100 year flood level, plus the appropriate allowance for wave uprush shown in the “Prescriptions-Regulatory Flood Standards” for each reach as detailed in the document “Shoreline Management Plan-Sault Ste. Marie Region Conservation Authority” which is available at or through the Authority at its head office located at 1100 Fifth Line East, Sault Ste. Marie, Ontario, P6A 5K7,

(ii) the predicted long term stable slope projected from the existing stable toe of the slope or from the predicted location of the toe of the slope as that location may have shifted as a result of shoreline erosion over a 100-year period,

(iii) where a dynamic beach is associated with the waterfront lands, an appropriate allowance in metres inland, determined by the authority, to accommodate dynamic beach movement, and

(iv) 15 metres inland;

(b) river or stream valleys that have depressional features associated with a river or stream, whether or not they contain a watercourse, the limits of which are determined in accordance with the following rules:

(i) where the river or stream valley is apparent and has stable slopes, the valley extends from the stable top of bank, plus 15 metres, to a similar point on the opposite side,

(ii) where the river or stream valley is apparent and has unstable slopes, the valley extends from the predicted long term stable slope projected from the existing stable slope or, if the toe of the slope is unstable, from the predicted location of the toe of the slope as a result of stream erosion over a projected 100-year period, plus 15 metres, to a similar point on the opposite side,

(iii) where the river or stream valley is not apparent, the valley extends the greater of,

- (A) the distance from a point outside the edge of the maximum extent of the flood plain under the applicable flood event standard, plus 15 metres, to a similar point on the opposite side, and
- (B) the distance from the predicted meander belt of a watercourse, expanded as required to convey the flood flows under the applicable flood event standard, plus 15 metres, to a similar point on the opposite side;

(c) hazardous lands;

(d) wetlands; or

(e) other areas where development could interfere with the hydrologic function of a wetland, including areas within 120 metres of all provincially significant wetlands and wetlands greater than 2 hectares in size, and areas within 30 metres of wetlands less than 2 hectares in size, but not including those where development has been approved pursuant to an application made under the *Planning Act* or other public planning or regulatory process.

(2) The areas described in subsection (1) are the areas referred to in section 12 except that, in case of a conflict, the description of the areas provided in subsection (1) prevails over the descriptions referred to in that section.

Permission to develop

3. (1) The Authority may grant permission for development in or on the areas described in subsection 2 (1) if, in its opinion, the control of flooding, erosion, dynamic beaches, pollution or the conservation of land will not be affected by the development.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

4. A signed application for permission to undertake development shall be filed with the Authority and shall contain the following information:

1. Four copies of a plan of the area showing the type and location of the development.
2. The proposed use of the buildings and structures following completion of the development.
3. The start and completion dates of the development.
4. The elevations of existing buildings, if any, and grades and the proposed elevations of buildings and grades after development.
5. Drainage details before and after development.
6. A complete description of the type of fill proposed to be placed or dumped.

Alterations prohibited

5. Subject to section 6, no person shall straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse or change or interfere in any way with a wetland.

Permission to alter

6. (1) The Authority may grant a person permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or to change or interfere with a wetland.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

7. A signed application for permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or change or interfere with a wetland shall be filed with the Authority and shall contain the following information:

1. Four copies of a plan of the area showing plan view and cross-section details of the proposed alteration.
2. A description of the methods to be used in carrying out the alteration.
3. The start and completion dates of the alteration.
4. A statement of the purpose of the alteration.

Cancellation of permission

8. (1) The Authority may cancel a permission if it is of the opinion that the conditions of the permission have not been met.

(2) Before cancelling a permission, the Authority shall give a notice of intent to cancel to the holder of the permission indicating that the permission will be cancelled unless the holder shows cause at a hearing why the permission should not be cancelled.

(3) Following the giving of the notice, the Authority shall give the holder at least five days notice of the date of the hearing.

Validity of permissions and extensions

9. (1) A permission of the Authority is valid for a maximum period of 24 months after it is issued, unless it is specified to expire at an earlier date.

(2) A permission shall not be extended.

Appointment of officers

10. The Authority may appoint officers to enforce this Regulation.

Flood event standards

11. The applicable flood event standards used to determine the maximum susceptibility to flooding of lands or areas within the watersheds in the area of jurisdiction of the Authority are the Timmins Flood Event Standard, the 100 Year Flood Event Standard and the 100 year flood level plus wave uprush, described in Schedule 1.

Areas included in the Regulation Limit

12. Hazardous lands, wetlands, shorelines and areas susceptible to flooding, and associated allowances, within the watersheds in the area of jurisdiction of the Authority are delineated by the Regulation Limit shown on maps 1 to 3 dated February 2006 and filed at the head office of the Authority at 1100 Fifth Line East, Sault Ste. Marie, Ontario, P6A 5K7 under the map title "Ontario Regulation 97/04: Regulation for Development, Interference with Wetlands and Alterations to Shorelines and Watercourses".

Revocation

13. Regulation 141 of the Revised Regulations of Ontario, 1990 is revoked.

SCHEDULE 1

1. The Timmins Flood Event Standard means a storm that produces over a 12-hour period,
- (a) in a drainage area of 10 square miles or less, rainfall that has the distribution set out in Table 1; or
 - (b) in a drainage area of more than 10 square miles, rainfall such that the number of inches of rain referred to in each case in Table 1 shall be modified by the percentage amount shown in Column 2 of Table 2 opposite the size of the drainage area set out opposite thereto in Column 1 of Table 2.

TABLE 1

| |
|---|
| 0.6 inches of rain in the first hour |
| 0.8 inches of rain in the second hour |
| 0.4 inches of rain in the third hour |
| 0.1 inches of rain in the fourth hour |
| 0.2 inches of rain in the fifth hour |
| 0.8 inches of rain in the sixth hour |
| 1.7 inches of rain in the seventh hour |
| 0.8 inches of rain in the eighth hour |
| 0.9 inches of rain in the ninth hour |
| 0.5 inches of rain in the tenth hour |
| 0.5 inches of rain in the eleventh hour |
| 0.3 inches of rain in the twelfth hour |

TABLE 2

| Column 1 | Column 2 |
|-----------------------------------|------------|
| Drainage Area (square kilometres) | Percentage |
| 11 to 20 both inclusive | 97 |
| 21 to 30 both inclusive | 94 |
| 31 to 40 both inclusive | 90 |
| 41 to 60 both inclusive | 87 |
| 61 to 80 both inclusive | 84 |
| 81 to 100 both inclusive | 82 |
| 101 to 150 both inclusive | 79 |
| 151 to 200 both inclusive | 76 |
| 201 to 300 both inclusive | 74 |
| 301 to 400 both inclusive | 70 |
| 401 to 500 both inclusive | 68 |
| 501 to 600 both inclusive | 66 |

| Column 1 | Column 2 |
|-----------------------------------|------------|
| Drainage Area (square kilometres) | Percentage |
| 601 to 700 both inclusive | 65 |
| 701 to 800 both inclusive | 64 |
| 801 to 900 both inclusive | 63 |
| 901 to 1000 both inclusive | 62 |
| 1001 to 1500 both inclusive | 58 |
| 1501 to 2000 both inclusive | 56 |
| 2001 to 2500 both inclusive | 53 |
| 2501 to 3000 both inclusive | 50 |

2. The 100 Year Flood Event Standard means rainfall or snowmelt, or a combination of rainfall and snowmelt producing at any location in a river, creek, stream or watercourse, a peak flow that has a probability of occurrence of one per cent during any given year.

3. The 100 year flood level means the peak instantaneous still water level plus an allowance for wave uprush and other water-related hazards for Lake Superior and the Upper and Lower St. Mary's River in the Great Lakes-St. Lawrence River System that has a probability of occurrence of one per cent during any given year.

Made by:

SAULT STE. MARIE REGION CONSERVATION AUTHORITY:

LINDA WHALEN
General Manager

E.A. GULYAS
Chair

Date made: April 28, 2006.

I certify that I have approved this Regulation.

DAVID JAMES RAMSAY
Minister of Natural Resources

Date approved: May 4, 2006.

20/06

ONTARIO REGULATION 177/06

made under the

CONSERVATION AUTHORITIES ACT

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NORTH BAY-MATTAWA CONSERVATION AUTHORITY: REGULATION OF DEVELOPMENT, INTERFERENCE WITH WETLANDS AND ALTERATIONS TO SHORELINES AND WATERCOURSES

Definition

1. In this Regulation,

"Authority" means the North Bay-Mattawa Conservation Authority.

Development prohibited

2. (1) Subject to section 3, no person shall undertake development, or permit another person to undertake development in or on the areas within the jurisdiction of the Authority that are,

- (a) adjacent or close to the shoreline of the Great Lakes-St. Lawrence River System or to inland lakes that may be affected by flooding, erosion or dynamic beaches, including the area from the furthest offshore extent of the Authority's boundary to the furthest landward extent of the aggregate of the following distances:
 - (i) the 100 year flood level, plus the appropriate allowance for wave uprush shown on page 1-15 section c) of the document entitled "Flood Damage Reduction Study of the Sturgeon River/Lake Nipissing/French River System", September 1981, which is available at or through the Authority at its head office located at 15 Janey Avenue, North Bay, Ontario, P1C 1N1,
 - (ii) the predicted long term stable slope projected from the existing stable toe of the slope or from the predicted location of the toe of the slope as that location may have shifted as a result of shoreline erosion over a 100-year period,
 - (iii) where a dynamic beach is associated with the waterfront lands, a 15 metre allowance inland to accommodate dynamic beach movement,
 - (iv) 15 metres inland;
- (b) river or stream valleys that have depressional features associated with a river or stream, whether or not they contain a watercourse, the limits of which are determined in accordance with the following rules:
 - (i) where the river or stream valley is apparent and has stable slopes, the valley extends from the stable top of bank, plus 15 metres, to a similar point on the opposite side,
 - (ii) where the river or stream valley is apparent and has unstable slopes, the valley extends from the predicted long term stable slope projected from the existing stable slope or, if the toe of the slope is unstable, from the predicted location of the toe of the slope as a result of stream erosion over a projected 100-year period, plus 15 metres, to a similar point on the opposite side,
 - (iii) where the river or stream valley is not apparent, the valley extends the greater of,
 - (A) the distance from a point outside the edge of the maximum extent of the flood plain under the applicable flood event standard, plus 15 metres, to a similar point on the opposite side, and
 - (B) the distance from the predicted meander belt of a watercourse, expanded as required to convey the flood flows under the applicable flood event standard, plus 15 metres, to a similar point on the opposite side;
- (c) hazardous lands;
- (d) wetlands; or
- (e) other areas where development could interfere with the hydrologic function of a wetland, including areas within 120 metres of all provincially significant wetlands and 30 metres of all other wetlands, but not including those where development has been approved pursuant to an application made under the *Planning Act* or other public planning or regulatory process.

(2) The areas described in subsection (1) are the areas referred to in section 12 except that, in case of a conflict, the description of the areas provided in subsection (1) prevails over the descriptions referred to in that section.

Permission to develop

3. (1) The Authority may grant permission for development in or on the areas described in subsection 2 (1) if, in its opinion, the control of flooding, erosion, dynamic beaches, pollution or the conservation of land will not be affected by the development.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

4. A signed application for permission to undertake development shall be filed with the Authority and shall contain the following information:

1. Four copies of a plan of the area showing the type and location of the development.
2. The proposed use of the buildings and structures following completion of the development.
3. The start and completion dates of the development.

4. The elevations of existing buildings, if any, and grades and the proposed elevations of buildings and grades after development.
5. Drainage details before and after development.
6. A complete description of the type of fill proposed to be placed or dumped.

Alterations prohibited

5. Subject to section 6, no person shall straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse or change or interfere in any way with a wetland.

Permission to alter

6. (1) The Authority may grant a person permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or to change or interfere with a wetland.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

7. A signed application for permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or change or interfere with a wetland shall be filed with the Authority and shall contain the following information:

1. Four copies of a plan of the area showing plan view and cross-section details of the proposed alteration.
2. A description of the methods to be used in carrying out the alteration.
3. The start and completion dates of the alteration.
4. A statement of the purpose of the alteration.

Cancellation of permission

8. (1) The Authority may cancel a permission if it is of the opinion that the conditions of the permission have not been met.

(2) Before cancelling a permission, the Authority shall give a notice of intent to cancel to the holder of the permission indicating that the permission will be cancelled unless the holder shows cause at a hearing why the permission should not be cancelled.

(3) Following the giving of the notice, the Authority shall give the holder at least five days notice of the date of the hearing.

Validity of permissions and extensions

9. (1) A permission of the Authority is valid for a maximum period of 24 months after it is issued, unless it is specified to expire at an earlier date.

(2) A permission shall not be extended.

Appointment of officers

10. The Authority may appoint officers to enforce this Regulation.

Flood event standards

11. (1) The applicable flood event standards used to determine the maximum susceptibility to flooding of lands or areas within the watersheds in the area of jurisdiction of the Authority are the Timmins Flood Event Standard, the 100 Year Flood Event Standard and the 100 year flood level plus wave uprush, described in Schedule 1.

(2) The Timmins Flood Event Standard applies to all watersheds within the area of jurisdiction of the Authority except for,

- (a) Chippewa Creek and its tributaries below the North Bay Escarpment, Parks Creek, the Mattawa River in the Town of Mattawa and the La Vase River where the 100 Year Flood Event Standard applies; and
- (b) Lake Nipissing where the 100 year flood level plus wave uprush applies.

Areas included in the Regulation Limit

12. Hazardous lands, wetlands, shorelines and areas susceptible to flooding, and associated allowances, within the watersheds in the area of jurisdiction of the Authority are delineated by the Regulation Limit shown on maps 1 to 73 dated February 2006 and filed at the head office of the Authority at 15 Janey Avenue, North Bay, Ontario P1C 1N1 under the map title "Ontario Regulation 97/04: Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses".

Revocation

13. Regulation 162 of the Revised Regulations of Ontario, 1990 is revoked.

SCHEDULE 1

1. The Timmins Flood Event Standard means a storm that produces over a 12-hour period,
 - (a) in a drainage area of 25 square kilometres or less, rainfall that has the distribution set out in Table 1; or
 - (b) in a drainage area of more than 25 square kilometres, rainfall such that the number of millimetres of rain referred to in each case in Table 1 shall be modified by the percentage amount shown in Column 2 of Table 2 opposite the size of the drainage area set out opposite thereto in Column 1 of Table 2.

TABLE 1

| |
|------------------------------------|
| 15 mm of rain the first hour |
| 20 mm of rain in the second hour |
| 10 mm of rain in the third hour |
| 3 mm of rain in the fourth hour |
| 5 mm of rain in the fifth hour |
| 20 mm of rain in the sixth hour |
| 43 mm of rain in the seventh hour |
| 20 mm of rain in the eighth hour |
| 23 mm of rain in the ninth hour |
| 13 mm of rain in the tenth hour |
| 13 mm of rain in the eleventh hour |
| 8 mm of rain in the twelfth hour |

TABLE 2

| Column 1 | Column 2 |
|-----------------------------------|------------|
| Drainage Area (Square Kilometres) | Percentage |
| 26 to 50 both inclusive | 97 |
| 51 to 75 both inclusive | 94 |
| 76 to 100 both inclusive | 90 |
| 101 to 150 both inclusive | 87 |
| 151 to 200 both inclusive | 84 |
| 201 to 250 both inclusive | 82 |
| 251 to 375 both inclusive | 79 |
| 376 to 500 both inclusive | 76 |
| 501 to 750 both inclusive | 74 |
| 751 to 1000 both inclusive | 70 |
| 1001 to 1250 both inclusive | 68 |
| 1251 to 1500 both inclusive | 66 |
| 1501 to 1800 both inclusive | 65 |
| 1801 to 2100 both inclusive | 64 |
| 2101 to 2300 both inclusive | 63 |
| 2301 to 2600 both inclusive | 62 |
| 2601 to 3900 both inclusive | 58 |
| 3901 to 5200 both inclusive | 56 |
| 5201 to 6500 both inclusive | 53 |
| 6501 to 8000 both inclusive | 50 |

2. The 100 Year Flood Event Standard means rainfall or snowmelt, or a combination of rainfall and snowmelt producing at any location in a river, creek, stream or watercourse, a peak flow that has a probability of occurrence of one per cent during any given year.

3. The 100 year flood level means the peak instantaneous still water level plus an allowance for wave uprush and other water-related hazards that has a probability of occurrence of one per cent during any given year.

Made by:

NORTH BAY-MATTAWA CONSERVATION AUTHORITY:

BRIAN TAYLER
General Manager-Secretary Treasurer

MARC CHARRON
Chair

Date made: April 28, 2006.

I certify that I have approved this Regulation.

DAVID JAMES RAMSAY
Minister of Natural Resources

Date approved: May 4, 2006.

20/06

ONTARIO REGULATION 178/06
made under the
CONSERVATION AUTHORITIES ACT

Made: April 28, 2006
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**LONG POINT REGION CONSERVATION AUTHORITY: REGULATION OF DEVELOPMENT,
INTERFERENCE WITH WETLANDS AND ALTERATIONS TO SHORELINES AND
WATERCOURSES**

Definition

1. In this Regulation,

“Authority” means the Long Point Region Conservation Authority.

Development prohibited

2. (1) Subject to section 3, no person shall undertake development, or permit another person to undertake development in or on the areas within the jurisdiction of the Authority that are,

- (a) adjacent or close to the shoreline of the Great Lakes-St. Lawrence River System or to inland lakes that may be affected by flooding, erosion or dynamic beaches, including the area from the furthest offshore extent of the Authority’s boundary to the furthest landward extent of the aggregate of the following distances:
- (i) the 100 year flood level as shown in Table A.1 “100 Year Peak Instantaneous Water Level” of the document entitled “Great Lakes System Flood Levels and Water Related Hazards” February 1989, which is available at or through the Authority at its head office located at 146 Radical Road, Simcoe Ontario, N3Y 4K2, plus the appropriate allowance for wave uprush,
 - (ii) the predicted long term stable slope projected from the existing stable toe of the slope or from the predicted location of the toe of the slope as that location may have shifted as a result of shoreline erosion over a 100 year period,

- (iii) where a dynamic beach is associated with the waterfront lands, a 30 metre allowance inland to accommodate dynamic beach movement, and
- (iv) 15 metres inland;
- (b) river or stream valleys that have depressional features associated with a river or stream, whether or not they contain a watercourse, the limits of which are determined in accordance with the following rules:
 - (i) where the river or stream valley is apparent and has stable slopes, the valley extends from the stable top of bank, plus 15 metres, to a similar point on the opposite side,
 - (ii) where the river or stream valley is apparent and has unstable slopes, the valley extends from the predicted long term stable slope projected from the existing stable slope or, if the toe of the slope is unstable, from the predicted location of the toe of the slope as a result of stream erosion over a projected 100-year period, plus 15 metres, to a similar point on the opposite side,
 - (iii) where the river or stream valley is not apparent, the valley extends the greater of,
 - (A) the distance from a point outside the edge of the maximum extent of the flood plain under the applicable flood event standard, plus 15 metres, to a similar point on the opposite side, and
 - (B) the distance from the predicted meander belt of a watercourse, expanded as required to convey the flood flows under the applicable flood event standard, plus 15 metres, to a similar point on the opposite side;
- (c) hazardous lands;
- (d) wetlands; or
- (e) other areas where development could interfere with the hydrologic function of a wetland, including areas within 120 metres of all provincially significant wetlands and areas within 30 metres of all other wetlands, but not including those where development has been approved pursuant to an application made under the *Planning Act* or other public planning or regulatory process.

(2) The areas described in subsection (1) are the areas referred to in section 12 except that, in case of a conflict, the description of the areas provided in subsection (1) prevails over the descriptions referred to in that section.

Permission to develop

3. (1) The Authority may grant permission for development in or on the areas described in subsection 2 (1) if, in its opinion, the control of flooding, erosion, dynamic beaches, pollution or the conservation of land will not be affected by the development.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

4. A signed application for permission to undertake development shall be filed with the Authority and shall contain the following information:

1. Four copies of a plan of the area showing the type and location of the development.
2. The proposed use of the buildings and structures following completion of the development.
3. The start and completion dates of the development.
4. The elevations of existing buildings, if any, and grades and the proposed elevations of buildings and grades after development.
5. Drainage details before and after development.
6. A complete description of the type of fill proposed to be placed or dumped.

Alterations prohibited

5. Subject to section 6, no person shall straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse or change or interfere in any way with a wetland.

Permission to alter

6. (1) The Authority may grant a person permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or to change or interfere with a wetland.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

7. A signed application for permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or change or interfere with a wetland shall be filed with the Authority and shall contain the following information:

1. Four copies of a plan of the area showing plan view and cross-section details of the proposed alteration.
2. A description of the methods to be used in carrying out the alteration.
3. The start and completion dates of the alteration.
4. A statement of the purpose of the alteration.

Cancellation of permission

8. (1) The Authority may cancel a permission if it is of the opinion that the conditions of the permission have not been met.

(2) Before cancelling a permission, the Authority shall give a notice of intent to cancel to the holder of the permission indicating that the permission will be cancelled unless the holder shows cause at a hearing why the permission should not be cancelled.

(3) Following the giving of the notice, the Authority shall give the holder at least five days notice of the date of the hearing.

Validity of permissions and extensions

9. (1) A permission of the Authority is valid for a maximum period of 24 months after it is issued, unless it is specified to expire at an earlier date.

(2) A permission shall not be extended.

Appointment of officers

10. The Authority may appoint officers to enforce this Regulation.

Flood event standards

11. The applicable flood event standards used to determine the maximum susceptibility to flooding of lands or areas within the watersheds in the area of jurisdiction of the Authority is the 100 Year Flood Event Standard and the 100 year flood level plus wave uprush, described in Schedule 1.

Areas included in the Regulation Limit

12. Hazardous lands, wetlands, shorelines and areas susceptible to flooding and associated allowances, within the watersheds in the area of jurisdiction of the Authority are delineated by the Regulation Limit shown on maps 1 to 160 dated February 2006 and filed at the head office of the Authority at 146 Radical Road, Simcoe, Ontario under the map title "Ontario Regulation 97/04: Regulation for Development, Interference with Wetlands and Alterations to Shorelines and Watercourses".

Revocation

13. Regulation 154 of the Revised Regulations of Ontario, 1990 is revoked.

SCHEDULE 1

1. The 100 Year Flood Event Standard means rainfall or snowmelt, or a combination of rainfall and snowmelt producing at any location in a river, creek, stream or watercourse, a peak flow, that has a probability of occurrence of one per cent during any given year.

2. The 100 year flood level means the peak instantaneous still water level plus an allowance for wave uprush and other water-related hazards for Lake Erie in the Great Lakes-St. Lawrence River System that has a probability of occurrence of one per cent during any given year.

Made by:

LONG POINT REGION CONSERVATION AUTHORITY:

CLIFF EVANITSKI
Chair

JAMES L. OLIVER
General Manager

Date made : April 28, 2006.

I certify that I approved this Regulation.

DAVID JAMES RAMSAY
Minister of Natural Resources

Date approved : May 4, 2006.

20/06

ONTARIO REGULATION 179/06
made under the
CONSERVATION AUTHORITIES ACT

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Approved: May 4, 2006
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**LAKE SIMCOE REGION CONSERVATION AUTHORITY: REGULATION OF DEVELOPMENT,
INTERFERENCE WITH WETLANDS AND ALTERATIONS TO SHORELINES AND
WATERCOURSES**

Definition

1. In this Regulation,

“Authority” means the Lake Simcoe Region Conservation Authority.

Development prohibited

2. (1) Subject to section 3, no person shall undertake development, or permit another person to undertake development in or on the areas within the jurisdiction of the Authority that are,

- (a) adjacent or close to the shoreline of the Great Lakes-St. Lawrence River System or to inland lakes that may be affected by flooding, erosion or dynamic beaches, including the area from the furthest offshore extent of the Authority’s boundary to the furthest landward extent of the aggregate of the following distances:
 - (i) the 100 year flood level, plus the appropriate allowance for wave uprush as calculated by the equations provided in the document entitled “Shoreline Flood Elevation Study, Lake Simcoe, Lake Couchiching”, April 1981, which is available at or through the Authority at its head office located at 120 Bayview Parkway, Newmarket, Ontario, L3Y 4X1,
 - (ii) the predicted long term stable slope projected from the existing stable toe of the slope or from the predicted location of the toe of the slope as that location may have shifted as a result of shoreline erosion over a 100-year period, and
 - (iii) where a dynamic beach is associated with the waterfront lands, an allowance in metres inland, determined by the authority, to accommodate dynamic beach movement.
- (b) river or stream valleys that have depressional features associated with a river or stream, whether or not they contain a watercourse, the limits of which are determined in accordance with the following rules:
 - (i) where the river or stream valley is apparent and has stable slopes, the valley extends from the stable top of bank, plus 15 metres, to a similar point on the opposite side,
 - (ii) where the river or stream valley is apparent and has unstable slopes, the valley extends from the predicted long term stable slope projected from the existing stable slope or, if the toe of the slope is unstable, from the predicted location of the toe of the slope as a result of stream erosion over a projected 100-year period, plus 15 metres, to a similar point on the opposite side,

(iii) where the river or stream valley is not apparent, the valley extends the greater of,

- (A) the distance from a point outside the edge of the maximum extent of the flood plain under the applicable flood event standard, plus 15 metres, to a similar point on the opposite side, and
- (B) the distance from the predicted meander belt of a watercourse, expanded as required to convey the flood flows under the applicable flood event standard, plus 15 metres, to a similar point on the opposite side;

(c) hazardous lands;

(d) wetlands; or

(e) other areas where development could interfere with the hydrologic function of a wetland, including areas within 120 metres of all provincially significant wetlands, and areas within 30 metres of all other wetlands, but not including those where development has been approved pursuant to an application made under the Planning Act or other public planning or regulatory process.

(2) The areas described in subsection (1) are the areas referred to in section 12 except that, in case of a conflict, the description of the areas provided in subsection (1) prevails over the descriptions referred to in that section.

Permission to develop

3. (1) The Authority may grant permission for development in or on the areas described in subsection 2 (1) if, in its opinion, the control of flooding, erosion, dynamic beaches, pollution or the conservation of land will not be affected by the development.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

4. A signed application for permission to undertake development shall be filed with the Authority and shall contain the following information:

1. Four copies of a plan of the area showing the type and location of the development.
2. The proposed use of the buildings and structures following completion of the development.
3. The start and completion dates of the development.
4. The elevations of existing buildings, if any, and grades and the proposed elevations of buildings and grades after development.
5. Drainage details before and after development.
6. A complete description of the type of fill proposed to be placed or dumped.

Alterations prohibited

5. Subject to section 6, no person shall straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse or change or interfere in any way with a wetland.

Permission to alter

6. (1) The Authority may grant a person permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or to change or interfere with a wetland.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

7. A signed application for permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or change or interfere with a wetland shall be filed with the Authority and shall contain the following information:

1. Four copies of a plan of the area showing plan view and cross-section details of the proposed alteration.
2. A description of the methods to be used in carrying out the alteration.
3. The start and completion dates of the alteration.
4. A statement of the purpose of the alteration.

Cancellation of permission

8. (1) The Authority may cancel a permission if it is of the opinion that the conditions of the permission have not been met.

(2) Before cancelling a permission, the Authority shall give a notice of intent to cancel to the holder of the permission indicating that the permission will be cancelled unless the holder shows cause at a hearing why the permission should not be cancelled.

(3) Following the giving of the notice, the Authority shall give the holder at least five days notice of the date of the hearing.

Validity of permissions and extensions

9. (1) A permission of the Authority is valid for a maximum period of 24 months after it is issued, unless it is specified to expire at an earlier date.

(2) A permission shall not be extended.

Appointment of officers

10. The Authority may appoint officers to enforce this Regulation.

Flood event standards

11. (1) The applicable flood event standards used to determine the maximum susceptibility to flooding of lands or areas within the watersheds in the area of jurisdiction of the Authority are the Hurricane Hazel Flood Event Standard, the Timmins Flood Event Standard, the 100 year Flood Event Standard and the 100 year flood level plus wave uprush, described in Schedule 1.

(2) The Hurricane Hazel Flood Event Standard applies to all watersheds within the area of jurisdiction of the Authority except for,

- (a) Bunker's Creek and Sophia Creek where the 100 Year Flood Event Standard applies;
- (b) Talbot River and the Trent-Severn waterway where the Timmins Flood Event Standard applies; and
- (c) Lake Simcoe where the 100 year flood level plus wave uprush applies.

Areas included in the Regulation Limit

12. Hazardous lands, wetlands, shorelines and areas susceptible to flooding, and associated allowances, within the watersheds in the area of jurisdiction of the Authority are delineated by the Regulation Limit shown on maps 1 to 117 dated January 2006 and filed at the head office of the Authority at 120 Bayview Parkway, Newmarket, Ontario under the map title "Ontario Regulation 97/04: Regulation for Development, Interference with Wetlands and Alterations to Shorelines and Watercourses".

Revocation

13. Regulation 153 of the Revised Regulations of Ontario, 1990 is revoked.

SCHEDULE 1

1. The Hurricane Hazel Flood Event Standard means a storm that produces over a 48-hour period,
- (a) in a drainage area of 25 square kilometres or less, rainfall that has the distribution set out in Table 1; or
 - (b) in a drainage area of more than 25 square kilometres, rainfall such that the number of millimetres of rain referred to in each case in Table 1 shall be modified by the percentage amount shown in Column 2 of Table 2 opposite the size of the drainage area set out opposite thereto in Column 1 of Table 2.

TABLE 1

| |
|--|
| 73 millimetres of rain in the first 36 hours |
| 6 millimetres of rain in the 37th hour |
| 4 millimetres of rain in the 38th hour |
| 6 millimetres of rain in the 39th hour |
| 13 millimetres of rain in the 40th hour |
| 17 millimetres of rain in the 41st hour |
| 13 millimetres of rain in the 42nd hour |
| 23 millimetres of rain in the 43rd hour |
| 13 millimetres of rain in the 44th hour |
| 13 millimetres of rain in the 45th hour |
| 53 millimetres of rain in the 46th hour |
| 38 millimetres of rain in the 47th hour |
| 13 millimetres of rain in the 48th hour |

TABLE 2

| Column 1 | Column 2 |
|-----------------------------------|------------|
| Drainage Area (square kilometres) | Percentage |
| 26 to 45 both inclusive | 99.2 |
| 46 to 65 both inclusive | 98.2 |
| 66 to 90 both inclusive | 97.1 |
| 91 to 115 both inclusive | 96.3 |
| 116 to 140 both inclusive | 95.4 |
| 141 to 165 both inclusive | 94.8 |
| 166 to 195 both inclusive | 94.2 |
| 196 to 220 both inclusive | 93.5 |
| 221 to 245 both inclusive | 92.7 |
| 246 to 270 both inclusive | 92.0 |
| 271 to 450 both inclusive | 89.4 |
| 451 to 575 both inclusive | 86.7 |
| 576 to 700 both inclusive | 84.0 |
| 701 to 850 both inclusive | 82.4 |
| 851 to 1000 both inclusive | 80.8 |
| 1001 to 1200 both inclusive | 79.3 |
| 1201 to 1500 both inclusive | 76.6 |
| 1501 to 1700 both inclusive | 74.4 |
| 1701 to 2000 both inclusive | 73.3 |
| 2001 to 2200 both inclusive | 71.7 |
| 2201 to 2500 both inclusive | 70.2 |
| 2501 to 2700 both inclusive | 69.0 |
| 2701 to 4500 both inclusive | 64.4 |
| 4501 to 6000 both inclusive | 61.4 |
| 6001 to 7000 both inclusive | 58.9 |
| 7001 to 8000 both inclusive | 57.4 |

2. The Timmins Flood Event Standard means a storm that produces over a 12-hour period,

- (a) in a drainage area of 25 square kilometres or less, rainfall that has the distribution set out in Table 3; or
- (b) in a drainage area of more than 25 square kilometres, rainfall such that the number of millimetres of rain referred to in each case in Table 3 shall be modified by the percentage amount shown in Column 2 of Table 4 opposite the size of the drainage area set out opposite thereto in Column 1 of Table 4.

TABLE 3

| |
|---|
| 15 millimetres of rain in the 1st hour |
| 20 millimetres of rain in the 2nd hour |
| 10 millimetres of rain in the 3rd hour |
| 3 millimetres of rain in the 4th hour |
| 5 millimetres of rain in the 5th hour |
| 20 millimetres of rain in the 6th hour |
| 43 millimetres of rain in the 7th hour |
| 20 millimetres of rain in the 8th hour |
| 23 millimetres of rain in the 9th hour |
| 13 millimetres of rain in the 10th hour |
| 13 millimetres of rain in the 11th hour |
| 8 millimetres of rain in the 12th hour |

TABLE 4

| Column 1 | Column 2 |
|-----------------------------------|------------|
| Drainage Area (square kilometres) | Percentage |
| 26 to 50 both inclusive | 97 |
| 51 to 75 both inclusive | 94 |
| 76 to 100 both inclusive | 90 |
| 101 to 150 both inclusive | 87 |
| 151 to 200 both inclusive | 84 |
| 201 to 250 both inclusive | 82 |
| 251 to 375 both inclusive | 79 |
| 376 to 500 both inclusive | 76 |
| 501 to 750 both inclusive | 74 |
| 751 to 1000 both inclusive | 70 |
| 1001 to 1250 both inclusive | 68 |
| 1251 to 1500 both inclusive | 66 |
| 1501 to 1800 both inclusive | 65 |
| 1801 to 2100 both inclusive | 64 |
| 2101 to 2300 both inclusive | 63 |
| 2301 to 2600 both inclusive | 62 |
| 2601 to 3900 both inclusive | 58 |
| 3901 to 5200 both inclusive | 56 |
| 5201 to 6500 both inclusive | 53 |
| 6501 to 8000 both inclusive | 50 |

3. The 100 Year Flood Event Standard means rainfall or snowmelt, or a combination of rainfall and snowmelt producing at any location in a river, creek, stream or watercourse, a peak flow that has a probability of occurrence of one per cent during any given year.

4. The 100 year flood level means the peak instantaneous still water level plus an allowance for wave uprush and other water-related hazards that has a probability of occurrence of one per cent during any given year.

Made by:

LAKE SIMCOE REGION CONSERVATION AUTHORITY:

VIRGINIA HACKSON
Vice Chair

ROY BRIDGE
Chair

Date made: April 25, 2006.

I certify that I have approved this Regulation.

DAVID JAMES RAMSAY
Minister of Natural Resources

Date approved: May 4, 2006.

20/06

ONTARIO REGULATION 180/06
made under the
CONSERVATION AUTHORITIES ACT

Made: April 26, 2006
Approved: May 4, 2006
Filed: May 4, 2006
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Printed in *The Ontario Gazette*: May 20, 2006

**LAKEHEAD REGION CONSERVATION AUTHORITY: REGULATION OF DEVELOPMENT,
INTERFERENCE WITH WETLANDS AND ALTERATIONS TO SHORELINES AND
WATERCOURSES**

Definition

1. In this Regulation,

“Authority” means the Lakehead Region Conservation Authority.

Development prohibited

2. (1) Subject to section 3, no person shall undertake development or permit another person to undertake development in or on the areas within the jurisdiction of the Authority that are,

(a) adjacent or close to the shoreline of the Great Lakes-St. Lawrence River System or to inland lakes that may be affected by flooding, erosion or dynamic beaches, including the area from the furthest offshore extent of the Authority’s boundary to the furthest landward extent of the aggregate of the following distances:

- (i) the 100 Year flood level, plus the appropriate allowance for wave uprush, which information is available at or through the Authority at its head office located at 130 Conservation Road, Thunder Bay, Ontario, P7B 6T8,
- (ii) the predicted long term stable slope projected from the existing stable toe of the slope or from the predicted location of the toe of the slope as that location may have shifted as a result of shoreline erosion over a 100-year period,
- (iii) where a dynamic beach is associated with the waterfront lands, 30 metre allowance inland to accommodate dynamic beach movement, which information is available at or through the Authority at the address given in subclause (i), and
- (iv) 15 metres inland;

(b) river or stream valleys that have depressional features associated with a river or stream, whether or not they contain a watercourse, the limits of which are determined in accordance with the following rules:

- (i) where the river or stream valley is apparent and has stable slopes, the valley extends from the stable top of bank, plus 15 metres, to a similar point on the opposite side,
- (ii) where the river or stream valley is apparent and has unstable slopes, the valley extends from the predicted long term stable slope projected from the existing stable slope or, if the toe of the slope is unstable from the predicted location of the toe of the slope as a result of stream erosion over a projected 100-year period, plus 15 metres, to a similar point on the opposite side,
- (iii) where the river or stream valley is not apparent, the valley extends the greater of,
 - (A) the distance from a point outside the edge of the maximum extent of the flood plain under the applicable flood event standard, plus 15 metres, to a similar point on the opposite side, and
 - (B) the distance from the predicted meander belt of a watercourse, expanded as required to convey the flood flows under the applicable flood event standard, plus 15 metres, to a similar point on the opposite side;

(c) hazardous lands;

(d) wetlands; or

(e) other areas where development could interfere with the hydrologic function of a wetland, including areas within 120 metres of all provincially significant wetlands and wetlands greater than 2 hectares in size, and areas within 30 metres of wetlands less than 2 hectares in size, but not including those where development has been approved pursuant to an application made under the *Planning Act* or other public planning or regulatory process.

(2) The areas described in subsection (1) are the areas referred to in section 12 except that, in case of a conflict, the description of the areas provided in subsection (1) prevails over the descriptions referred to in that section.

Permission to develop

3. (1) The Authority may grant permission for development in or on the areas described in subsection 2 (1) if, in its opinion, the control of flooding, erosion, dynamic beaches, pollution or the conservation of land will not be affected by the development.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

4. A signed application for permission to undertake development shall be filed with the Authority and shall contain the following information:

1. Four copies of a plan of the area showing the type and location of the development.
2. The proposed use of the buildings and structures following completion of the development.
3. The start and completion dates of the development.
4. The elevations of existing buildings, if any, and grades and the proposed elevations of buildings and grades after development.
5. Drainage details before and after development.
6. A complete description of the type of fill proposed to be placed or dumped.

Alterations prohibited

5. Subject to section 6, no person shall straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse or change or interfere in any way with a wetland.

Permission to alter

6. (1) The Authority may grant a person permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or to change or interfere with a wetland.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

7. A signed application for permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or change or interfere with a wetland shall be filed with the Authority and shall contain the following information:

1. Four copies of a plan of the area showing plan view and cross-section details of the proposed alteration.
2. A description of the methods to be used in carrying out the alteration.
3. The start and completion dates of the alteration.
4. A statement of the purpose of the alteration.

Cancellation of permission

8. (1) The Authority may cancel permission if it is of the opinion that the conditions of the permission have not been met.

(2) Before cancelling a permission, the Authority shall give a notice of intent to cancel to the holder of the permission indicating that the permission will be cancelled unless the holder shows cause at a hearing why the permission should not be cancelled.

(3) Following the giving of the notice, the Authority shall give the holder at least five days notice of the date of the hearing.

Validity of permissions and extensions

9. (1) A permission of the Authority is valid for a maximum period of 24 months after it is issued, unless it is specified to expire at an earlier date.

(2) A permission shall not be extended.

Appointment of officers

10. The Authority may appoint officers to enforce this Regulation.

Flood event standards

11. (1) The flood event standards used to determine the maximum susceptibility to flooding of lands or areas within the watersheds in the area of jurisdiction of the Authority are the Timmins Flood Event Standard, the 100 Year Flood Event Standard and the 100 year flood level plus wave uprush, described in Schedule 1.

- (2) The Timmins Flood Event Standard applies to all watersheds within the area of jurisdiction of the Authority except for,
- (a) The main channel of the Kaministiquia River where the 100 Year Flood Event Standard applies; and
- (b) Lake Superior in the Great Lakes-St. Lawrence River System where the 100 year flood level plus wave uprush applies.

Areas included in the Regulation Limit

12. Hazardous lands, wetlands, shorelines and areas susceptible to flooding, and associated allowances, within the watershed in the jurisdiction of the Authority as shown on Maps 1 to 15 dated December 2005 and filed at the head office of the Authority at 130 Conservation Road, Thunder Bay, Ontario P7B 6T8 under the map title "Ontario Regulation 97/04: Regulation for Development, Interference with Wetlands and Alterations to Shorelines and Watercourses".

Revocation

13. Ontario Regulation 152/91 is revoked.

SCHEDULE 1

1. The Timmins Flood Event Standard means a storm that produces over a 12-hour period,
- (a) in a drainage area of 25 square kilometres or less, rainfall that has the distribution set out in Table 1; or
- (b) in a drainage area of more than 25 square kilometres, a rainfall such that the number of millimetres of rain referred to in each case in Table 1 shall be modified by the percentage amount in Column 2 of Table 2 opposite the size of the drainage area set out opposite thereto in Column 1 of Table 2.

TABLE 1

| |
|---|
| 15 millimetres of rain in the first hour |
| 20 millimetres of rain in the second hour |
| 10 millimetres of rain in the third hour |
| 3 millimetres of rain in the fourth hour |
| 5 millimetres of rain in the fifth hour |
| 20 millimetres of rain in the sixth hour |
| 43 millimetres of rain in the seventh hour |
| 20 millimetres of rain in the eighth hour |
| 23 millimetres of rain in the ninth hour |
| 13 millimetres of rain in the tenth hour |
| 13 millimetres of rain in the eleventh hour |
| 8 millimetres of rain in the twelfth hour |

TABLE 2

| Column 1 | Column 2 |
|-----------------------------|------------|
| Drainage Area (square km) | Percentage |
| 26 to 50 both inclusive | 97 |
| 51 to 75 both inclusive | 94 |
| 76 to 100 both inclusive | 90 |
| 101 to 150 both inclusive | 87 |
| 151 to 200 both inclusive | 84 |
| 201 to 250 both inclusive | 82 |
| 251 to 375 both inclusive | 79 |
| 376 to 500 both inclusive | 76 |
| 501 to 750 both inclusive | 74 |
| 751 to 1000 both inclusive | 70 |
| 1001 to 1250 both inclusive | 68 |
| 1251 to 1500 both inclusive | 66 |
| 1501 to 1800 both inclusive | 65 |
| 1801 to 2100 both inclusive | 64 |
| 2101 to 2300 both inclusive | 63 |
| 2301 to 2600 both inclusive | 62 |
| 2601 to 3900 both inclusive | 58 |
| 3901 to 5200 both inclusive | 56 |
| 5201 to 6500 both inclusive | 53 |
| 6501 to 8000 both inclusive | 50 |

2. The 100 Year Flood Event Standard means rainfall or snowmelt, or a combination of rainfall and snowmelt producing at any location in a river, creek, stream or watercourse, a peak flow that has a probability of occurrence of one per cent during any given year.

3. The 100 Year flood level means the peak instantaneous still water level plus an allowance for wave uprush and other water-related hazards that has a probability of occurrence of one per cent during any given year.

Made by:

LAKEHEAD REGION CONSERVATION AUTHORITY:

MERVI HENTTONEN
General Manager/Secretary-Treasurer

BILL BARTLEY
Lakehead Region Conservation Authority Chairman

Date made: April 26, 2006.

I certify that I have approved this Regulation.

DAVID JAMES RAMSAY
Minister of Natural Resources

Date approved: May 4, 2006.

20/06

ONTARIO REGULATION 181/06
made under the
CONSERVATION AUTHORITIES ACT

Made: April 27, 2006
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**KETTLE CREEK CONSERVATION AUTHORITY: REGULATION OF DEVELOPMENT,
INTERFERENCE WITH WETLANDS AND ALTERATIONS TO SHORELINES AND
WATERCOURSES**

Definition

1. In this Regulation,

“Authority” means the Kettle Creek Conservation Authority.

Development prohibited

2. (1) Subject to section 3, no person shall undertake development, or permit another person to undertake development in or on the areas within the jurisdiction of the Authority that are,

- (a) adjacent or close to the shoreline of the Great Lakes-St. Lawrence River System or to inland lakes that may be affected by flooding, erosion or dynamic beaches, including the area from the furthest offshore extent of the Authority’s boundary to the furthest landward extent of the aggregate of the following distances:

- (i) the 100 year flood level, plus the appropriate allowance for wave uprush shown in the column headed "Average Flood Elevations" found in Table 7.1 of the document entitled "Port Stanley Lakeshore Flooding Look-Up Tables", December, 1992, which is available at or through the Authority at its Administrative Centre located at 44015 Ferguson Line, R.R. #8, St. Thomas, Ontario, N5P 3T3,
 - (ii) the predicted long term stable slope projected from the existing stable toe of the slope or from the predicted location of the toe of the slope as that location may have shifted as a result of shoreline erosion over a 100-year period, as shown in the right hand column of revised Table 3.4 dated November 2005, issued as an addendum to the document entitled "Kettle Creek Conservation Authority Shoreline Management Plan", December 1989, which is available at or through the Authority at the address given in subclause (i),
 - (iii) where a dynamic beach is associated with the waterfront lands, the appropriate allowance inland to accommodate dynamic beach movement as described in section 2.4.1 "Regulatory Dynamic Beach Standard" of the document entitled "Port Stanley Beach Management Study", March 1996, which is available at or through the Authority at the address given in subclause (i), and
 - (iv) 15 metres inland;
- (b) river or stream valleys that have depressional features associated with a river or stream, whether or not they contain a watercourse, the limits of which are determined in accordance with the following rules:
- (i) where the river or stream valley is apparent and has stable slopes, the valley extends from the stable top of bank, plus 15 metres, to a similar point on the opposite side,
 - (ii) where the river or stream valley is apparent and has unstable slopes, the valley extends from the predicted long term stable slope projected from the existing stable slope or, if the toe of the slope is unstable, from the predicted location of the toe of the slope as a result of stream erosion over a projected 100-year period, plus 15 metres, to a similar point on the opposite side,
 - (iii) where the river or stream valley is not apparent, the valley extends the greater of,
 - (A) the distance from a point outside the edge of the maximum extent of the flood plain under the applicable flood event standard, plus 15 metres, to a similar point on the opposite side, and
 - (B) the distance from the predicted meander belt of a watercourse, expanded as required to convey the flood flows under the applicable flood event standard, plus 15 metres, to a similar point on the opposite side;
- (c) hazardous lands;
- (d) wetlands; or
- (e) other areas where development could interfere with the hydrologic function of a wetland, including areas within 120 metres of all provincially significant wetlands, and areas within 30 metres of all other wetlands, but not including those where development has been approved pursuant to an application made under the *Planning Act* or other public planning or regulatory process.
- (2) The areas described in subsection (1) are the areas referred to in section 12 except that, in case of a conflict, the description of the areas provided in subsection (1) prevails over the descriptions referred to in that section.

Permission to develop

3. (1) The Authority may grant permission for development in or on the areas described in subsection 2 (1) if, in its opinion, the control of flooding, erosion, dynamic beaches, pollution or the conservation of land will not be affected by the development.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

4. A signed application for permission to undertake development shall be filed with the Authority and shall contain the following information:

1. Four copies of a plan of the area showing the type and location of the development.
2. The proposed use of the buildings and structures following completion of the development.
3. The start and completion dates of the development.
4. The elevations of existing buildings, if any, and grades and the proposed elevations of buildings and grades after development.
5. Drainage details before and after development.
6. A complete description of the type of fill proposed to be placed or dumped.

Alterations prohibited

5. Subject to section 6, no person shall straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse or change or interfere in any way with a wetland.

Permission to alter

6. (1) The Authority may grant a person permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or to change or interfere with a wetland.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

7. A signed application for permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or change or interfere with a wetland shall be filed with the Authority and shall contain the following information:

1. Four copies of a plan of the area showing plan view and cross-section details of the proposed alteration.
2. A description of the methods to be used in carrying out the alteration.
3. The start and completion dates of the alteration.
4. A statement of the purpose of the alteration.

Cancellation of permission

8. (1) The Authority may cancel a permission if it is of the opinion that the conditions of the permission have not been met.

(2) Before cancelling a permission, the Authority shall give a notice of intent to cancel to the holder of the permission indicating that the permission will be cancelled unless the holder shows cause at a hearing why the permission should not be cancelled.

(3) Following the giving of the notice, the Authority shall give the holder at least five days notice of the date of the hearing.

Validity of permissions and extensions

9. (1) A permission of the Authority is valid for a maximum period of 24 months after it is issued, unless it is specified to expire at an earlier date.

(2) A permission shall not be extended.

Appointment of officers

10. The Authority may appoint officers to enforce this Regulation.

Flood event standards

11. The applicable flood event standards used to determine the maximum susceptibility to flooding of lands or areas within the watersheds in the area of jurisdiction of the Authority are the Hurricane Hazel Flood Event Standard, the 100 Year Flood Event Standard and the 100 year flood level plus wave uprush, described in Schedule 1.

Areas Included in the Regulation Limit

12. Hazardous lands, wetlands, shorelines and areas susceptible to flooding, and associated allowances, within the watersheds in the area of jurisdiction of the Authority are delineated by the Regulation Limit shown on maps 1 to 29, dated November 16, 2005 and filed at the head office of the Authority at 44015 Ferguson Line, R.R. #8, St. Thomas, Ontario, N5P 3T3, under the map title "Ontario Regulation 97/04: Regulation for Development, Interference with Wetlands and Alterations to Shorelines and Watercourses".

Revocation

13. Regulation 152 of the Revised Regulations of Ontario, 1990 is revoked.

SCHEDULE 1

1. The Hurricane Hazel Flood Event Standard means a storm that produces over a 48-hour period,

- (a) in a drainage area of 25 square kilometres or less, rainfall that has the distribution set out in Table 1; or
- (b) in a drainage area of more than 25 square kilometres, rainfall such that the number of millimetres of rain referred to in each case in Table 1 shall be modified by the percentage amount shown in Column 2 of Table 2 opposite the size of the drainage area set out opposite thereto in Column 1 of Table 2.

TABLE 1

| |
|--|
| 73 millimetres of rain in the first 36 hours |
| 6 millimetres of rain in the 37th hour |
| 4 millimetres of rain in the 38th hour |
| 6 millimetres of rain in the 39th hour |
| 13 millimetres of rain in the 40th hour |
| 17 millimetres of rain in the 41st hour |
| 13 millimetres of rain in the 42nd hour |
| 23 millimetres of rain in the 43rd hour |
| 13 millimetres of rain in the 44th hour |
| 13 millimetres of rain in the 45th hour |
| 53 millimetres of rain in the 46th hour |
| 38 millimetres of rain in the 47th hour |
| 13 millimetres of rain in the 48th hour |

TABLE 2

| Column 1 | Column 2 |
|-----------------------------------|------------|
| Drainage Area (square kilometres) | Percentage |
| 26 to 45 both inclusive | 99.2 |
| 46 to 65 both inclusive | 98.2 |
| 66 to 90 both inclusive | 97.1 |
| 91 to 115 both inclusive | 96.3 |
| 116 to 140 both inclusive | 95.4 |
| 141 to 165 both inclusive | 94.8 |
| 166 to 195 both inclusive | 94.2 |
| 196 to 220 both inclusive | 93.5 |
| 221 to 245 both inclusive | 92.7 |
| 246 to 270 both inclusive | 92.0 |
| 271 to 450 both inclusive | 89.4 |
| 451 to 575 both inclusive | 86.7 |
| 576 to 700 both inclusive | 84.0 |
| 701 to 850 both inclusive | 82.4 |
| 851 to 1000 both inclusive | 80.8 |
| 1001 to 1200 both inclusive | 79.3 |
| 1201 to 1500 both inclusive | 76.6 |
| 1501 to 1700 both inclusive | 74.4 |
| 1701 to 2000 both inclusive | 73.3 |
| 2001 to 2200 both inclusive | 71.7 |
| 2201 to 2500 both inclusive | 70.2 |
| 2501 to 2700 both inclusive | 69.0 |
| 2701 to 4500 both inclusive | 64.4 |
| 4501 to 6000 both inclusive | 61.4 |
| 6001 to 7000 both inclusive | 58.9 |
| 7001 to 8000 both inclusive | 57.4 |

2. The 100 Year Flood Event Standard means rainfall or snowmelt, or a combination of rainfall and snowmelt, producing at any location in a river, creek, stream or watercourse a peak flow that has a probability of occurrence of one per cent during any given year.

3. The 100 year flood level means the peak instantaneous still water level plus an allowance for wave uprush and other water-related hazards for Lake Erie in the Great Lakes-St. Lawrence River System, that has a probability of occurrence of one per cent during any given year.

Made by:

KETTLE CREEK CONSERVATION AUTHORITY:

TOM MARKS
Chairman

BRYAN D. HALL
General Manager/Secretary-Treasurer

Date made: April 27, 2006.

I certify that I have approved this Regulation.

DAVID JAMES RAMSAY
Minister of Natural Resources

Date approved: May 4, 2006.

20/06

ONTARIO REGULATION 182/06
made under the
CONSERVATION AUTHORITIES ACT

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**KAWARTHA REGION CONSERVATION AUTHORITY: REGULATION OF DEVELOPMENT,
INTERFERENCE WITH WETLANDS AND ALTERATIONS TO SHORELINES AND
WATERCOURSES**

Definition

1. In this Regulation,

“Authority” means the Kawartha Region Conservation Authority.

Development prohibited

2. (1) Subject to section 3, no person shall undertake development, or permit another person to undertake development in or on the areas within the jurisdiction of the Authority that are,

(a) river or stream valleys that have depressional features associated with a river or stream, whether or not they contain a watercourse, the limits of which are determined in accordance with the following rules:

- (i) where the river or stream valley is apparent and has stable slopes, the valley extends from the stable top of bank, plus 15 metres, to a similar point on the opposite side,
- (ii) where the river or stream valley is apparent and has unstable slopes, the valley extends from the predicted long term stable slope projected from the existing stable slope or, if the toe of the slope is unstable, from the predicted location of the toe of the slope as a result of stream erosion over a projected 100-year period, plus 15 metres, to a similar point on the opposite side,
- (iii) where the river or stream valley is not apparent, the valley extends the greater of,

- (A) the distance from a point outside the edge of the maximum extent of the flood plain under the applicable flood event standard, plus 15 metres, to a similar point on the opposite side, and
- (B) the distance from the predicted meander belt of a watercourse, expanded as required to convey the flood flows under the applicable flood event standard, plus 15 metres, to a similar point on the opposite side;

(b) hazardous lands;

(c) wetlands; or

(d) other areas where development could interfere with the hydrologic function of a wetland, including areas within 120 metres of all provincially significant wetlands and wetlands greater than 2 hectares in size, and areas within 30 metres of wetlands less than 2 hectares in size, but not including those where development has been approved pursuant to an application made under the *Planning Act* or other public planning or regulatory process.

(2) The areas described in subsection (1) are the areas referred to in section 12 except that, in case of a conflict, the description of the areas provided in subsection (1) prevails over the descriptions referred to in that section.

Permission to develop

3. (1) The Authority may grant permission for development in or on the areas described in subsection 2 (1) if, in its opinion, the control of flooding, erosion, dynamic beaches, pollution or the conservation of land will not be affected by the development.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

4. A signed application for permission to undertake development shall be filed with the Authority and shall contain the following information:

1. Four copies of a plan of the area showing the type and location of the development.
2. The proposed use of the buildings and structures following completion of the development.
3. The start and completion dates of the development.
4. The elevations of existing buildings, if any, and grades and the proposed elevations of buildings and grades after development.
5. Drainage details before and after development.
6. A complete description of the type of fill proposed to be placed or dumped.

Alterations prohibited

5. Subject to section 6, no person shall straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse or change or interfere in any way with a wetland.

Permission to alter

6. (1) The Authority may grant a person permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or to change or interfere with a wetland.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

7. A signed application for permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or change or interfere with a wetland shall be filed with the Authority and shall contain the following information:

1. Four copies of a plan of the area showing plan view and cross-section details of the proposed alteration.
2. A description of the methods to be used in carrying out the alteration.
3. The start and completion dates of the alteration.
4. A statement of the purpose of the alteration.

Cancellation of permission

8. (1) The Authority may cancel a permission if it is of the opinion that the conditions of the permission have not been met.

(2) Before cancelling a permission, the Authority shall give a notice of intent to cancel to the holder of the permission indicating that the permission will be cancelled unless the holder shows cause at a hearing why the permission should not be cancelled.

(3) Following the giving of the notice, the Authority shall give the holder at least five days notice of the date of the hearing.

Validity of permissions and extensions

9. (1) A permission of the Authority is valid for a maximum period of 24 months after it is issued, unless it is specified to expire at an earlier date.

(2) A permission shall not be extended.

Appointment of officers

10. The Authority may appoint officers to enforce this Regulation.

Flood event standards

11. The applicable flood event standards used to determine the maximum susceptibility to flooding of lands or areas within the watersheds in the area of jurisdiction of the Authority are the Timmins Flood Event Standard and the 100 Year Flood Event Standard described in Schedule 1.

Areas included in the Regulation Limit

12. Hazardous lands, wetlands and areas susceptible to flooding, and associated allowances, within the watersheds in the area of jurisdiction of the Authority are delineated by the Regulation Limit shown on maps 1 to 110 dated November 2005 and filed at the head office of the Authority at 277 Kenrei Road, Lindsay, Ontario under the map title "Ontario Regulation 97/04: Regulation for Development, Interference with Wetlands and Alterations to Shorelines and Watercourses".

Revocation

13. Ontario Regulation 33/94 is revoked.

SCHEDULE 1

1. The Timmins Flood Event Standard means a storm that produces over a 12-hour period,
- (a) in a drainage area of 10 square miles or less, rainfall that has the distribution set out in Table 1; or
 - (b) in a drainage area of more than 10 square miles, rainfall such that the number of inches of rain referred to in each case in Table 1 shall be modified by the percentage amount shown in Column 2 of Table 2 opposite the size of the drainage area set out opposite thereto in Column 1 of Table 2.

TABLE 1

| |
|---|
| 0.6 inches of rain in the first hour |
| 0.8 inches of rain in the second hour |
| 0.4 inches of rain in the third hour |
| 0.1 inches of rain in the fourth hour |
| 0.2 inches of rain in the fifth hour |
| 0.8 inches of rain in the sixth hour |
| 1.7 inches of rain in the seventh hour |
| 0.8 inches of rain in the eighth hour |
| 0.9 inches of rain in the ninth hour |
| 0.5 inches of rain in the tenth hour |
| 0.5 inches of rain in the eleventh hour |
| 0.3 inches of rain in the twelfth hour |

TABLE 2

| Column 1 | Column 2 |
|------------------------------|------------|
| Drainage Area (square miles) | Percentage |
| 11 to 20 both inclusive | 97 |
| 21 to 30 both inclusive | 94 |
| 31 to 40 both inclusive | 90 |
| 41 to 60 both inclusive | 87 |
| 61 to 80 both inclusive | 84 |
| 81 to 100 both inclusive | 82 |
| 101 to 150 both inclusive | 79 |
| 151 to 200 both inclusive | 76 |
| 201 to 300 both inclusive | 74 |
| 301 to 400 both inclusive | 70 |
| 401 to 500 both inclusive | 68 |

| Column 1 | Column 2 |
|------------------------------|------------|
| Drainage Area (square miles) | Percentage |
| 501 to 600 both inclusive | 66 |
| 601 to 700 both inclusive | 65 |
| 701 to 800 both inclusive | 64 |
| 801 to 900 both inclusive | 63 |
| 901 to 1000 both inclusive | 62 |
| 1001 to 1500 both inclusive | 58 |
| 1501 to 2000 both inclusive | 56 |
| 2001 to 2500 both inclusive | 53 |
| 2501 to 3000 both inclusive | 50 |

2. The 100 Year Flood Event Standard means rainfall or snowmelt, or a combination of rainfall and snowmelt, producing at any location in a river, creek, stream or watercourse a peak flow that has a probability of occurrence of one per cent during any given year.

Made by:

KAWARTHA REGION CONSERVATION AUTHORITY:

ALEX RUTH
Chair

IAN D. MACNAB
CAO

Date made: April 27, 2006.

I certify that I have approved this Regulation.

DAVID JAMES RAMSAY
Minister of Natural Resources

Date approved: May 4, 2006.

20/06

ONTARIO REGULATION 183/06
made under the
VINTNERS QUALITY ALLIANCE ACT, 1999

Made: April 6, 2006
Approved: April 27, 2006
Filed: May 5, 2006
Published on e-Laws: May 9, 2006
Printed in *The Ontario Gazette*: May 20, 2006

Amending O. Reg. 406/00
(Rules of Vintners Quality Alliance Ontario under Clauses 5 (1) (a), (b) and (c) of the Act Relating to Terms, Descriptions and Designations for VQA Wine)

Note: Ontario Regulation 406/00 has previously been amended. Those amendments are listed in the Table of Regulations — Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Appendix A to Ontario Regulation 406/00 is amended by striking out opposite “2. Viticultural Area, Estate Bottled, Vineyard Designation” in the column entitled “Geographical Designation or Wine Category”,

| | | | |
|--|-------------------|------------|------------|
| | Chardonnay Musque | 18.0° Brix | 19.0° Brix |
|--|-------------------|------------|------------|

and substituting,

| | | | |
|--|-------------------|------------|------------|
| | Chardonnay Musque | 18.0° Brix | 18.0° Brix |
|--|-------------------|------------|------------|

2. Appendix B of the Regulation is amended by adding "Touriga Nacional" in Column 1 under "1. Varieties of Vitis vinifera".

Made by:

ONTARIO VINTNERS QUALITY ALLIANCE:

GREG BERTI
President and Chair

PAUL SPECK
Vice Chair

Date made: April 6, 2006.

I certify that I have approved this Regulation.

GERRY PHILLIPS
Minister of Government Services

Date approved: April 27, 2006.

20/06

ONTARIO REGULATION 184/06

made under the

FRENCH LANGUAGE SERVICES ACT

Made: May 3, 2006
Filed: May 5, 2006
Published on e-Laws: May 9, 2006
Printed in *The Ontario Gazette*: May 20, 2006

Amending O. Reg. 407/94
(Designation of Additional Areas)

Note: Ontario Regulation 407/94 has previously been amended. Those amendments are listed in the Table of Regulations - Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Ontario Regulation 407/94 is amended by adding the following section:

3. The following area is added to the Schedule to the Act:

| | |
|---------------------|------------------|
| County of Frontenac | City of Kingston |
|---------------------|------------------|

2. This Regulation comes into force on May 1, 2009.

RÈGLEMENT DE L'ONTARIO 184/06

pris en application de la

LOI SUR LES SERVICES EN FRANÇAIS

pris le 3 mai 2006

déposé le 5 mai 2006

publié sur le site Lois-en-ligne le 9 mai 2006

imprimé dans la *Gazette de l'Ontario* le 20 mai 2006

modifiant le Règlement de l'Ontario 407/94

(Désignation de régions additionnelles)

Remarque : Le Règlement de l'Ontario 407/94 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des règlements qui se trouve sur le site www.lois-en-ligne.gouv.on.ca.

1. Le Règlement de l'Ontario 407/94 est modifié par adjonction de l'article suivant :

3. La région suivante est ajoutée à l'annexe de la Loi :

Comté de Frontenac

La cité de Kingston

2. Le présent règlement entre en vigueur le 1^{er} mai 2009.

20/06

ONTARIO REGULATION 185/06

made under the

DRUG INTERCHANGEABILITY AND DISPENSING FEE ACT

Made: May 4, 2006

Filed: May 5, 2006

Published on e-Laws: May 9, 2006

Printed in *The Ontario Gazette*: May 20, 2006

Amending Reg. 935 of R.R.O. 1990

(General)

Note: Regulation 935 has previously been amended. Those amendments are listed in the Table of Regulations - Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Section 3 of Regulation 935 of the Revised Regulations of Ontario, 1990 is amended by adding the following paragraph:

7. Amendments dated April 28, 2006.

2. This Regulation comes into force on the later of,

(a) April 28, 2006; and

(b) the day that is 10 days after the day it is filed, where the following are not included in calculating the 10 days:

(i) the day of filing, and

(ii) Saturdays and Sundays and other holidays within the meaning of the *Interpretation Act*.

Made by:

GEORGE SMITHERMAN
Minister of Health and Long-Term Care

Date made: May 4, 2006.

20/06

ONTARIO REGULATION 186/06

made under the

ONTARIO DRUG BENEFIT ACT

Made: May 4, 2006
Filed: May 5, 2006
Published on e-Laws: May 9, 2006
Printed in *The Ontario Gazette*: May 20, 2006

Amending O. Reg. 201/96
(General)

Note: Ontario Regulation 201/96 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Section 7.2 of Ontario Regulation 201/96 is amended by adding the following paragraph:

7. Amendments dated April 28, 2006.

2. This Regulation comes into force on the later of,

(a) April 28, 2006; and

(b) the day that is 10 days after the day it is filed, where the following are not included in calculating the 10 days:

(i) the day of filing, and

(ii) Saturdays and Sundays and other holidays within the meaning of the *Interpretation Act*.

Made by:

GEORGE SMITHERMAN
Minister of Health and Long-Term Care

Date made: May 4, 2006.

20/06

ONTARIO REGULATION 187/06

made under the

ONTARIO ENERGY BOARD ACT, 1998

Made: May 3, 2006

Filed: May 5, 2006

Published on e-Laws: May 9, 2006

Printed in *The Ontario Gazette*: May 20, 2006

Revoking O. Reg. 339/02

(Electricity Pricing)

Note: Ontario Regulation 339/02 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Ontario Regulation 339/02 is revoked.

20/06

ONTARIO REGULATION 188/06

made under the

ONTARIO ENERGY BOARD ACT, 1998

Made: May 3, 2006

Filed: May 5, 2006

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Amending O. Reg. 48/05

(Payments to the OPA, IESO and Consumers)

Note: Ontario Regulation 48/05 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. (1) Subsection 13 (2) of Ontario Regulation 48/05 is amended by striking out “subsection (3), (4), (5) or (6)” at the end and substituting “subsection (4), (5), (6), (6.1) or (6.3)”.

(2) Subsection 13 (3) of the Regulation is revoked.

(3) Paragraph 3 of subsection 13 (4) of the Regulation is revoked.

(4) Subsection 13 (5) of the Regulation is revoked and the following substituted:

(5) If this section applies in respect of an amount otherwise payable to a consumer by a licensed distributor who is a market participant, the licensed distributor shall, before the expiry of the period specified by the IESO, pay the amount to the IESO.

(5) Paragraph 4 of subsection 13 (6) of the Regulation is revoked.

(6) Section 13 of the Regulation is amended by adding the following subsections:

(6.1) The IESO shall make a payment to West Coast Huron Energy Inc. equal to the lesser of,

(a) \$191,000; and

(b) the sum of,

(i) all amounts referred to in subsection (1) that would otherwise be payable by the IESO to a consumer, and

(ii) all payments to the IESO required under paragraph 2 of subsection (4), subsection (5), or paragraph 3 of subsection (6).

(6.2) The IESO may determine the method by which it pays the amount under subsection (6.1) and the time or times within which the payment or payments are made.

(6.3) If the sum determined under clause (6.1) (b) exceeds the amount payable by the IESO under subsection (6.1), the IESO shall pay the amount of the difference to the OPA before the expiry of the period specified by the OPA.

20/06

NOTE: The Table of Regulations – Legislative History Overview and other tables related to regulations can be found at the e-Laws website (www.e-Laws.gov.on.ca) under Tables. Consolidated regulations may also be found at that site by clicking on Statutes and associated Regulations under Consolidated Law.

REMARQUE : On trouve le Sommaire de l'historique législatif des règlements et d'autres tables liées aux règlements sur le site Web Lois-en-ligne (www.lois-en-ligne.gouv.on.ca) en cliquant sur «Tables». On y trouve également les règlements codifiés en cliquant sur le lien Lois et règlements d'application sous la rubrique «Textes législatifs codifiés».

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2006—05—27

ONTARIO REGULATION 189/06

made under the

LAND REGISTRATION REFORM ACT

Made: February 9, 2006

Filed: May 8, 2006

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Printed in *The Ontario Gazette*: May 27, 2006

Amending O. Reg. 16/99

(Automated System)

Note: Ontario Regulation 16/99 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. The Table to subsection 3 (1) of Ontario Regulation 16/99 is amended by adding the following item:

| Column 1 | Column 2 |
|-------------------------|--------------|
| Northumberland (No. 39) | May 8, 2006. |

Made by:

GERRY PHILLIPS
Minister of Government Services

Date made: February 9, 2006.

21/06

ONTARIO REGULATION 190/06

made under the

NURSING ACT, 1991

Made: January 18, 2006

Approved: May 3, 2006

Filed: May 8, 2006

Published on e-Laws: May 9, 2006

Printed in *The Ontario Gazette*: May 27, 2006

Amending O. Reg. 275/94

(General)

Note: Ontario Regulation 275/94 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Section 0.1 of Ontario Regulation 275/94 is amended by adding the following definition:

“registered practical nurse in the general class” means a member who holds a general certificate of registration as a registered practical nurse.

2. Paragraph 4 of subsection 15 (5) of the Regulation is amended by striking out “sole”.

3. The Regulation is amended by adding the following section:

15.1 (1) For the purpose of clause 5 (1) (a) of the Act, a registered practical nurse in the general class may perform a procedure set out in subsection (2) if he or she meets all of the conditions set out in subsection (3).

(2) The following are the procedures referred to in subsection (1):

1. With respect to the care of a wound below the dermis or below a mucous membrane, any of the following procedures:
 - i. cleansing,
 - ii. soaking,
 - iii. dressing.
2. A procedure that, for the purpose of assisting an individual with health management activities, requires putting an instrument,
 - i. beyond the point in the individual’s nasal passages where they normally narrow,
 - ii. beyond the individual’s larynx, or
 - iii. beyond the opening of the individual’s urethra.
3. A procedure that, for the purpose of assisting an individual with health management activities, requires putting a hand or finger beyond the individual’s labia majora.
4. A procedure that, for the purpose of assessing an individual or assisting an individual with health management activities, requires putting an instrument or finger beyond the individual’s anal verge.

(3) The following are the conditions referred to in subsection (1):

1. The registered practical nurse has the knowledge, skill and judgment to perform the procedure safely, effectively and ethically.
2. The registered practical nurse has the knowledge, skill and judgment to determine whether the individual’s condition warrants performance of the procedure.
3. The registered practical nurse determines that the individual’s condition warrants performance of the procedure, having considered,
 - i. the known risks and benefits to the individual of performing the procedure,
 - ii. the predictability of the outcome of performing the procedure,
 - iii. the safeguards and resources available in the circumstances to safely manage the outcome of performing the procedure, and
 - iv. other relevant factors specific to the situation.
4. The registered practical nurse accepts accountability for determining that the individual’s condition warrants performance of the procedure.

Made by:

COUNCIL OF THE COLLEGE OF NURSES OF ONTARIO:

ANNE L. COGHLAN
Executive Director

SANDRA KEATING
President

Date made: January 18, 2006.

ONTARIO REGULATION 191/06

made under the

LIQUOR LICENCE ACT

Made: May 3, 2006

Filed: May 8, 2006

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Printed in *The Ontario Gazette*: May 27, 2006

Amending Reg. 719 of R.R.O. 1990

(Licences to Sell Liquor)

Note: Regulation 719 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Regulation 719 of the Revised Regulations of Ontario, 1990 is amended by adding the following French version:

PERMIS DE VENTE D'ALCOOL

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DÉFINITIONS

1. Les définitions qui suivent s'appliquent au présent règlement.

«bateau» Navire, construction flottante ou bateau destiné au transport de passagers et utilisé à cette fin, et loué pour de courts trajets. Est toutefois exclu de la présente définition l'hydravion. («boat»)

«restaurant» Local ou partie de local auquel s'applique un permis d'alcool et qui est utilisé principalement aux fins de vente et de service de repas que consomment des clients assis à des tables. Sont toutefois exclus de la présente définition, selon le cas :

- les salles de réception;
- les locaux où de l'alcool est servi en vertu d'un avenant relatif au traiteur;
- les locaux situés sur la propriété d'un établissement d'enseignement postsecondaire;
- les locaux où sont présentés des divertissements conçus pour stimuler les appétits ou les tendances sexuels ou érotiques, comme l'énonce le paragraphe 23 (1.2). («restaurant»)

«salle de réception» Local autonome ou aire précise d'un local pourvu d'un permis qui sert principalement aux réceptions privées réservées à l'avance. («banquet room»)

«stade» Local pourvu de gradins permanents où se déroulent des manifestations sportives et des spectacles devant un auditoire. («stadium»)

«théâtre» Lieu où le public accède sur invitation et qui sert principalement à la présentation de productions sur scène des arts d'interprétation. («theatre»)

«vin produit dans le commerce» Vin fabriqué par un fabricant. Est toutefois exclu de la présente définition le vin fabriqué dans un centre de brassage libre-service, le vin fabriqué dans un établissement pourvu d'un avenant relatif au vinibar, le vin fortifié au sens du Règlement de l'Ontario 659/00 (Content and Labelling of Wine) pris en application de la *Loi de 2000 sur le contenu et l'étiquetage du vin* ou le vin maison. («commercially-made wine»)

«voiture de chemin de fer» Matériel roulant d'une compagnie de chemin de fer servant au transport de passagers. Est toutefois exclu de la présente définition le matériel roulant servant comme tramway, métro ou véhicule de transport en commun similaire. («railway car»)

POSSESSION D'ALCOOL

1.1 Pour l'application de l'article 33.1 de la Loi, la quantité prescrite d'alcool est de zéro millilitre.

DEMANDE, DÉLIVRANCE ET RENOUELEMENT DE PERMIS

2.

2.1 (1) Malgré le paragraphe 6 (4) de la Loi, une personne peut obtenir un permis de vente d'alcool pour vendre de l'alcool d'un fabricant dans un local situé sur un des lieux de fabrication de celui-ci.

(2) Il ne doit être délivré qu'un seul permis aux termes du présent article pour tous les lieux de fabrication d'un fabricant donné.

(2.1) Le fabricant qui produit plus de 10 millions de litres de vin au cours de l'exercice précédant l'année au cours de laquelle il présente une demande de permis en vertu du présent article peut, malgré le paragraphe (2), obtenir un deuxième permis en vertu de ce même article à l'égard d'un local situé sur un deuxième lieu de fabrication du fabricant.

(3) La définition qui suit s'applique au présent article.

«lieu de fabrication» Bien dont se sert un fabricant principalement en vue de la distillation et la production de spiritueux, de la fermentation et la production de la bière ou de la fermentation alcoolique et la production de vin de l'Ontario. S'entend notamment des vignobles dont il est propriétaire si une quantité importante de raisin sert à la production du vin.

(4) Malgré le paragraphe 12 (1), la capacité maximale d'un local auquel s'applique le permis ne doit pas dépasser 500 personnes s'il s'agit d'un local intérieur et 1 000 personnes s'il s'agit d'un local extérieur.

(4.1) Le titulaire d'un permis de vente d'alcool délivré à l'égard d'un lieu de fabrication d'un fabricant ne peut demander un avenant relatif au traiteur que pour les activités qui s'y déroulent auxquelles participent :

- a) au plus 500 personnes, dans le cas d'activités qui se déroulent dans un local intérieur;
- b) au plus 1 000 personnes, dans le cas d'activités qui se déroulent dans un local extérieur.

(5) Les articles 21 et 32 ne s'appliquent pas au titulaire de permis.

3. Avant de délivrer un permis de vente d'alcool, le registrateur des alcools et des jeux peut exiger que l'auteur de la demande et ses employés suivent un cours de formation des serveurs approuvé par le conseil de la Commission des alcools et des jeux de l'Ontario.

4. Sous réserve de l'article 13 de la Loi, le permis de vente d'alcool expire à la date y figurant que fixe le registrateur des alcools et des jeux.

5. (1) La demande de délivrance ou de renouvellement d'un permis de vente d'alcool doit être rédigée sur la formule que fournit le registrateur des alcools et des jeux.

(2)

AVIS PUBLIC D'UNE DEMANDE

6. (1) Pour l'application de l'alinéa 7 (1) (a) de la Loi, il est donné avis d'une demande de permis de vente d'alcool dans un journal de la manière prévue au présent article.

(2) L'annonce publicitaire doit indiquer qu'une demande de permis a été présentée ainsi que l'emplacement du local visé par la demande.

(3) Si une demande est présentée à l'égard d'un local extérieur, l'annonce publicitaire doit l'indiquer.

(4) L'annonce publicitaire doit indiquer la date limite à laquelle les objections écrites à la délivrance du permis doivent être reçues par le registrateur des alcools et des jeux.

(5) Aucun avis dans un journal n'est exigé si le local visé par la demande de permis est une voiture de chemin de fer.

7.

7.1 (1) En l'absence de preuve contraire, le conseil de la Commission des alcools et des jeux de l'Ontario considère une résolution du conseil de la municipalité, dans laquelle est situé le local à l'égard duquel une personne demande un permis de vente d'alcool ou détient un tel permis, comme preuve des besoins et des désirs des résidents de la municipalité pour l'application de l'alinéa 6 (2) h) de la Loi.

(2) En l'absence de preuve contraire, le conseil de la Commission des alcools et des jeux de l'Ontario considère une déclaration écrite d'un fonctionnaire autorisé du ministère des Finances, portant que l'auteur d'une demande de permis ou de cession de permis ou le titulaire d'un permis a omis de payer une taxe aux termes de la *Loi sur la taxe de vente au détail*, comme preuve qu'il n'est pas raisonnable de s'attendre que la personne pratique une saine gestion financière dans l'exercice de son commerce pour l'application de l'alinéa 6 (2) (a) de la Loi.

CATÉGORIES DE PERMIS

8. (1) Les catégories de permis de vente d'alcool suivantes sont établies :

1. Le permis de vente d'alcool, qui autorise la vente et le service d'alcool pour la consommation dans le local auquel s'applique le permis.

2. Le permis mini bar, qui autorise la vente et le service d'alcool à partir d'un distributeur se trouvant dans une chambre louée aux fins d'hébergement pour la nuit dans le local auquel s'applique le permis.

(2) Les avenants suivants pouvant être ajoutés aux permis de vente d'alcool sont établis :

1. L'avenant relatif à une brasserie, qui autorise la vente et le service, pour la consommation dans le local auquel s'applique le permis, de bière fabriquée par l'auteur de la demande.

2. L'avenant relatif à un vinibar, qui autorise la vente et le service, pour la consommation dans le local auquel s'applique le permis, de vin fabriqué par l'auteur de la demande.

3. L'avenant relatif à un traiteur, qui autorise l'auteur de la demande à vendre et à servir de l'alcool lors d'une activité se déroulant dans un local autre que celui auquel s'applique le permis de vente d'alcool.

4. L'avenant relatif au service à l'étage, qui autorise l'auteur de la demande à vendre et à servir de l'alcool aux personnes enregistrées comme clients dans un établissement qui loue des chambres pour la nuit et qui est contigu au local auquel s'applique le permis.

5. L'avenant relatif à un mini bar, qui autorise la vente et le service d'alcool à partir d'un distributeur se trouvant dans une chambre louée aux fins d'hébergement pour la nuit dans un établissement contigu au local auquel s'applique le permis de vente d'alcool.

6. L'avenant relatif à un terrain de golf, qui autorise la vente et le service d'alcool aux golfeurs aux fins de consommation sur l'aire de jeu du terrain de golf.

7. L'avenant relatif à un stade, qui autorise la vente et le service d'alcool dans les gradins d'un stade durant des manifestations sportives et des spectacles, devant un auditoire, approuvés par le registrateur des alcools et des jeux.

8. L'avenant permettant d'apporter son propre vin, qui autorise le titulaire d'un permis de vente d'alcool délivré à l'égard d'un restaurant ou à l'égard d'une salle de réception située dans un hôtel ou un motel à permettre aux clients d'y apporter, pour leur propre consommation, des bouteilles scellées de vin produit dans le commerce.

(3) Une chambre est considérée comme étant louée aux fins d'hébergement pour la nuit si elle est louée à court terme à des personnes qui n'y résident pas ordinairement.

NORMES APPLICABLES AUX LOCAUX

9. Les normes prévues aux articles 10 à 14 s'appliquent aux locaux ou parties de locaux utilisés relativement à la vente et au service d'alcool.

10. (1) Aucun local qui sert de logement ne doit être utilisé pour la vente d'alcool.

(2) Aucun local extérieur utilisé de concert avec un logement ne doit être utilisé pour la vente d'alcool.

11. Sauf dans un stade, aucun local pourvu de gradins et destiné à un auditoire ne doit être utilisé pour la vente et le service d'alcool.

11.1

11.2

11.3

11.4

12. (1) La capacité maximale des locaux auxquels s'applique la *Loi de 1992 sur le code du bâtiment* est celle déterminée en application de cette loi.

(2) La capacité maximale des locaux auxquels ne s'applique pas la *Loi de 1992 sur le code du bâtiment* est celle déterminée en application de la *Loi de 1997 sur la prévention et la protection contre l'incendie* si cette loi s'applique aux locaux.

(3) La capacité maximale des locaux auxquels ni la *Loi de 1992 sur le code du bâtiment* ni la *Loi de 1997 sur la prévention et la protection contre l'incendie* ne s'applique est déterminée en prévoyant 1,11 mètre carré par personne.

(4) Les paragraphes (1), (2) et (3) ne s'appliquent ni aux voitures de chemin de fer, ni aux bateaux, ni à l'aire de jeu des terrains de golf.

13. Le local auquel s'applique un permis, à l'exception de celui situé dans une voiture de chemin de fer ou sur un bateau, doit être délimité par une cloison d'au moins 0,9 mètre de haut de façon à le distinguer facilement des locaux contigus auxquels ne s'applique pas le permis.

14. Le bateau auquel s'applique un permis de vente d'alcool doit avoir une capacité minimale de 12 personnes assises.

14.1

SERVICE D'ALCOOL : PRATIQUES ET MÉTHODES INTERDITES

15. (1) Sous réserve du paragraphe (2), le titulaire d'un permis de vente d'alcool ne doit pas se soustraire contractuellement à la vente et au service d'alcool.

(2) Le registrateur autorise le titulaire d'un permis à se soustraire contractuellement à la vente et au service d'alcool en faveur de quiconque demande que lui soit cédé le permis en question si les conditions suivantes sont réunies :

- a) l'auteur de la demande a déposé une demande de cession auprès du registrateur des alcools et des jeux et acquitté les droits exigés;
- b) le titulaire de permis a signé et déposé auprès du registrateur un acte d'autorisation permettant à l'auteur de la demande d'exploiter le commerce.

(3) Le titulaire de permis demeure responsable aux termes du permis durant la période pendant laquelle il s'est soustrait contractuellement à la vente et au service d'alcool et l'acte d'autorisation en fait état.

(4) L'acte d'autorisation expire :

- a) soit à la délivrance de la cession de permis;
- b) soit à la délivrance d'un avis de proposition de refus de céder le permis.

16. (1) Le titulaire d'un permis de vente d'alcool ne doit pas exercer les activités commerciales auxquelles s'applique le permis sous un autre nom que celui qui y est indiqué.

(2) S'il estime que le public ne sera pas induit en erreur quant aux obligations que la Loi impose au titulaire de permis, le registrateur des alcools et des jeux peut autoriser celui-ci à exercer les activités commerciales sous un autre nom.

17. (1) Le titulaire d'un permis de vente d'alcool ne doit pas fournir d'alcool à une personne si ce n'est conformément aux conditions dont le permis est assorti.

(2) Le titulaire de permis veille à ce que de l'alcool ne soit mis en vente, vendu et servi que sous la surveillance d'un employé qu'il autorise à cette fin.

(3) Le titulaire de permis veille à ce qu'aucun alcool ne soit vendu ni servi à partir de distributeurs automatiques.

18. Le titulaire d'un permis de vente d'alcool ne doit substituer un type d'alcool à un autre dans la boisson d'un client que si ce dernier y consent.

18.1 Le titulaire d'un permis de vente d'alcool ne doit pas exiger qu'une personne achète un nombre minimal de boissons pour pouvoir pénétrer ou demeurer dans le local auquel s'applique le permis.

18.2 (1) Le titulaire d'un permis de vente d'alcool ne doit pas permettre la tenue, dans le local auquel s'applique le permis, de concours qui nécessitent l'achat ou la consommation d'alcool.

(2) Le titulaire de permis ne doit pas permettre la tenue de concours qui exigent d'un client qu'il demeure sur les lieux afin de recevoir un prix.

(3) Sauf dans la mesure permise au paragraphe 33 (2), le titulaire de permis ne doit pas permettre que soit offert ou donné gratuitement de l'alcool à un client comme prix dans un concours.

19. (1) Le titulaire d'un permis de vente d'alcool ne doit pas frelater de l'alcool en y ajoutant une substance ni conserver aux fins de vente ou vendre de l'alcool frelaté.

(2) Le titulaire de permis peut ajouter une substance dans la boisson d'un client lorsque celui-ci le lui demande.

20. (1) Le titulaire d'un permis de vente d'alcool ne doit se livrer à aucune pratique susceptible d'encourager la consommation immodérée d'alcool de la part de clients ni permettre à quiconque de se livrer à une telle pratique.

(2) Sans préjudice de la portée générale du paragraphe (1), le titulaire de permis ne doit pas :

- a) offrir gratuitement des consommations d'alcool;
- b) mettre des consommations d'alcool en vente à un prix inférieur à celui normalement demandé pour celles-ci;
- c) mettre en vente à un prix fixe un nombre illimité de consommations d'alcool;
- d) mettre en vente des consommations d'alcool dans lesquelles le volume d'alcool est augmenté sans une augmentation proportionnelle du prix normalement demandé pour celles-ci;
- e) permettre à des personnes employées dans le local pourvu d'un permis d'acheter des consommations d'alcool pour des clients ou de leur en offrir gratuitement.

(2.1) Malgré le paragraphe (2), le titulaire d'un permis peut, lors d'une activité, offrir à un prix fixe un forfait comprenant la nourriture et l'alcool si les conditions suivantes sont réunies :

- a) le titulaire de permis et l'organisateur de l'activité ont conclu un contrat écrit qui indique séparément le prix de la composante nourriture et celui de la composante alcool du forfait;
- b) le prix de la composante nourriture est le juste prix et représente plus de 50 pour cent du prix total du forfait;
- c) l'activité est destinée uniquement aux invités de l'organisateur, et aucune publicité n'en est faite dans le grand public, et elle n'est pas ouverte au grand public;
- d) aucun droit n'est demandé aux personnes présentes pour être admises à l'activité ou pour la nourriture ou l'alcool;
- e) l'organisateur de l'activité ou son délégué demeure dans le local en tout temps pendant qu'elle se déroule;
- f) la période pendant laquelle des boissons alcoolisées peuvent être fournies gratuitement aux personnes présentes ne dépasse pas huit heures;
- g) le titulaire de permis, ses employés et ses gérants ainsi que le personnel chargé de la sécurité, à l'exception des agents de police de service rémunérés qui agissent à titre de personnel chargé de la sécurité lors de l'activité, ont terminé un cours de formation des serveurs approuvé par le conseil de la Commission;
- h) le titulaire de permis conserve tous les contrats ayant trait à l'activité pendant un an au moins après la tenue de l'activité et, sur demande, les présente à une personne désignée en vertu de l'article 43 de la Loi ou à un agent de police.

(3) L'alinéa (2) d) n'a pas pour effet d'interdire une différence de prix qui se rapporte exclusivement à la méthode qu'utilise le titulaire de permis pour servir de l'alcool et à la manière dont il s'y prend pour le faire.

(4) Si le local auquel s'applique le permis est un salon d'aéroport, un bateau ou une voiture de chemin de fer, le titulaire de permis peut mettre en vente à prix unique un forfait comprenant le coût d'un voyage et de l'alcool.

(5) Le titulaire de permis veille à ce que le prix de l'alcool ou des boissons qui en contiennent demeure le même pendant toutes les heures d'ouverture du local.

(6) Le titulaire d'un permis de vente d'alcool comportant un avenant relatif au traiteur peut, lors d'une activité avec service de traiteur, mettre de l'alcool en vente à un prix différent de celui fixé pour le local auquel s'applique le permis.

(7) Le titulaire d'un permis de vente d'alcool qui s'applique à un local où la Société des loteries et des jeux de l'Ontario met sur pied et exploite une loterie est soustrait à l'application de l'alinéa (2) a) à l'égard de toute partie du local qu'approuve le registraire des alcools et des jeux et où l'accès du public est restreint.

20.1 (1) La définition qui suit s'applique au présent article.

«journée d'exploitation» S'entend de la période pendant laquelle de l'alcool peut être vendu et servi conformément aux paragraphes 25 (1) et (2), soit entre 11 heures et 2 heures ou 3 heures le lendemain.

(2) Malgré le paragraphe 20 (5), le titulaire de permis peut, mais une seule fois par journée d'exploitation, augmenter temporairement le prix de l'alcool ou des boissons qui en contiennent.

(3) Le prix qui a été augmenté temporairement en vertu du paragraphe (2) demeure à ce niveau jusqu'à la fin de la journée d'exploitation et revient à son niveau original au début de la journée d'exploitation suivante.

(4) S'il y a augmentation temporaire du prix de l'alcool ou des boissons qui en contiennent, le titulaire de permis affiche des avis précisant le montant de l'augmentation et le moment de prise d'effet de celle-ci en des endroits du local où les personnes présentes pourront facilement les voir.

21. Le titulaire d'un permis ne doit pas demander, exiger ou recevoir, directement ou indirectement, un avantage financier ou matériel d'un fabricant d'alcool ou d'un représentant ou employé de celui-ci.

CONDITIONS DES PERMIS DE VENTE D'ALCOOL

22. Les conditions énoncées aux articles 23 à 56 s'appliquent aux permis de vente d'alcool.

23. (1) Le titulaire de permis ne doit pas exploiter ni permettre que soit exploité dans un local auquel s'applique le permis un commerce autre que :

- a) la vente et le service d'alcool et de nourriture;
- b) la vente d'articles qui est faite accessoirement à la vente et au service d'alcool et de nourriture;
- c) la vente de billets de loterie distribués aux termes d'un permis délivré par le gouvernement;
- d) la présentation de divertissements accessoires à la vente et au service d'alcool et de nourriture.

(1.1) La définition qui suit s'applique à l'alinéa (1) d).

«divertissements accessoires à la vente et au service d'alcool et de nourriture» Sont exclus de la présente définition les divertissements conçus pour stimuler les appétits ou les tendances sexuels ou érotiques s'il s'agit de divertissements que présente une personne de moins de 18 ans.

(1.2) La définition qui suit s'applique au paragraphe (1.1).

«divertissements conçus pour stimuler les appétits ou les tendances sexuels ou érotiques» S'entend notamment de divertissements, selon le cas :

- a) dont une caractéristique est la nudité intégrale ou partielle d'une personne;
- b) à l'égard desquels le mot "nude", "naked", "topless", "bottomless", "sexy" ou "nu" ou tout autre mot ou toute image, tout symbole ou toute assertion ayant un même sens ou une même connotation est utilisé dans une annonce.

(1.3) Les paragraphes 41 (3), (4) et (5) et les paragraphes 42 (1) et (2) s'appliquent à l'égard de l'exécution de l'alinéa (1) d) si les divertissements semblent être des divertissements visés au paragraphe (1.1).

(2) Le local à l'égard duquel un permis est délivré doit servir principalement à la vente et au service, aux fins de consommation sur place, de repas légers et d'alcool.

(3) Le présent article ne s'applique pas à l'égard de ce qui suit :

- a) les locaux situés au niveau de la promenade d'une salle de quilles ou d'un théâtre;
 - a.1) la zone de jeu d'un terrain de golf;
 - b) les locaux qui appartiennent à la province de l'Ontario ou à une municipalité ou à l'un de leurs organismes et qui sont exploités par ceux-ci;
 - c) une loterie que met sur pied et exploite la Société des loteries et des jeux de l'Ontario;
 - c.1)
 - d) les locaux connus sous le nom de Great Blue Heron Charitable Casino qui sont situés dans l'île Scugog, à l'exception de toute aire de ceux-ci où se jouent les parties de bingo;
 - e)
 - f) les locaux connus sous le nom de Dave and Buster's qui sont situés au 30 Interchange Way dans la cité de Vaughan, jusqu'au 31 décembre 2003 inclusivement;
 - g) les locaux connus sous le nom de Intensity qui sont situés au 1275, chemin Hamilton, dans la cité de London, jusqu'au 31 décembre 2003 inclusivement;
 - g.1) les locaux connus sous le nom de Jack Astor's qui sont situés au 580, avenue Progress, dans la cité de Toronto, jusqu'au 31 décembre 2003 inclusivement;
 - g.2) les locaux connus sous le nom de Playdium at Square One qui sont situés au 99, chemin Rathburn Ouest, dans la cité de Mississauga, jusqu'au 31 décembre 2003 inclusivement;
 - h) l'exploitation d'un système de pari mutuel permis aux termes du *Code criminel* (Canada) à une piste de course de chevaux ou dans des locaux communément appelés télé théâtres ou salles de paris.
- (4) La définition qui suit s'applique à l'alinéa (3) b).

«municipalité» S'entend en outre d'une municipalité de palier supérieur.

24.

25. (1) Il ne peut être vendu et servi d'alcool qu'entre 11 heures et 2 heures le lendemain, à l'exception du 31 décembre.

(2) Il ne peut être vendu et servi d'alcool, le 31 décembre, qu'entre 11 heures et 3 heures le lendemain.

(3) Le présent article ne s'applique pas à l'égard de la vente ou du service d'alcool à partir d'un mini bar.

26. (1) Le registrateur des alcools et des jeux peut prolonger les heures de vente d'alcool lors d'activités d'envergure provinciale, nationale ou internationale.

(2) Le registrateur des alcools et des jeux peut prolonger les heures de vente d'alcool lors d'activités d'envergure municipale si le conseil de la municipalité, ou son délégué, a ainsi désigné l'activité.

(3) La définition qui suit s'applique au paragraphe (2).

«municipalité» S'entend en outre d'une municipalité de palier supérieur.

27. Il ne peut être vendu et servi d'alcool dans une voiture de chemin de fer que si celle-ci est utilisée principalement pour transporter ses passagers et qu'elle est en cours de route.

28. (1) Il peut être vendu et servi de l'alcool sur un bateau à compter d'une demi-heure avant que celui-ci ne quitte le quai jusqu'à une demi-heure avant qu'il ne doive y revenir.

(2) Pendant que le bateau est accosté, il peut être vendu et servi de l'alcool à cinq occasions au plus entre le 1^{er} novembre et le 31 mars de l'année suivante si, à chaque occasion, le capitaine et l'ingénieur du bateau avisent le registrateur des alcools et des jeux par écrit, dans les 72 heures après que le service d'alcool a commencé, qu'il n'était pas prudent pour le bateau de quitter le quai en raison d'intempéries.

29. Le titulaire de permis s'assure que toute trace de service et de consommation d'alcool dans le local est enlevée dans les 45 minutes qui suivent la cessation de la période de temps pendant laquelle il peut être vendu et servi de l'alcool aux termes du permis.

30. (1)

(2) Le titulaire de permis ne doit pas employer une personne âgée de moins de 18 ans pour vendre ou servir de l'alcool dans le local auquel s'applique le permis.

31. (1) Le titulaire de permis ne peut conserver pour la vente, vendre et servir que de l'alcool :

a)

b) qu'il a acheté auprès d'un magasin du gouvernement;

c) qu'il a acheté aux termes de son permis.

(2) Lorsqu'il achète de l'alcool aux termes de son permis, le titulaire de permis fournit son numéro de permis au magasin du gouvernement.

(3) Malgré le paragraphe (1), le titulaire d'un permis comportant un avenant qui permet d'apporter son propre vin peut servir du vin produit dans le commerce aux clients qui ont apporté le vin au restaurant auquel s'applique le permis.

(4) Malgré le paragraphe (1), le titulaire d'un permis comportant un avenant qui permet d'apporter son propre vin peut servir du vin produit dans le commerce aux clients qui ont apporté le vin à la salle de réception à laquelle s'applique le permis, pendant que les clients sont assis à une table et consomment un repas.

31.1 (1) Sous réserve du paragraphe (2), le titulaire de permis ne doit pas avoir ni permettre à quiconque d'avoir dans les locaux auxquels s'applique le permis ou qui sont utilisés relativement à la vente et au service d'alcool, y compris les aires de préparation de la nourriture et de l'alcool et les aires d'entreposage, un contenant qui contient de l'alcool ou une autre substance que l'alcool qui y était contenu lorsque le titulaire de permis a acheté le contenant d'un magasin du gouvernement aux termes du permis.

(2) Le titulaire de permis peut utiliser un appareil de dosage automatique pour servir de l'alcool si tout l'alcool qui s'y trouve provient du contenant d'alcool qu'il a acheté d'un magasin du gouvernement aux termes d'un permis.

32. (1) Le titulaire de permis qui met en vente des spiritueux, de la bière ou du vin garde en réserve et met en vente une variété de produits d'alcool provenant d'une variété de fabricants.

(2) Le titulaire de permis n'est pas tenu de mettre en vente plus d'une marque de bière à la pression.

33. (1) Le titulaire de permis ne doit pas permettre que de l'alcool, sauf de l'alcool qu'il a acheté d'un magasin du gouvernement aux termes d'un permis, soit apporté dans les locaux auxquels s'applique le permis ou qui sont utilisés relativement à la vente et au service d'alcool, y compris les aires de préparation de la nourriture et de l'alcool et les aires d'entreposage.

(2) Malgré le paragraphe (1), il peut être apporté de l'alcool dans les locaux auxquels s'applique le permis pour qu'il puisse être donné en prix à une loterie mise sur pied conformément à l'alinéa 207 (1) b) du *Code criminel* (Canada).

(3) Malgré le paragraphe (1), le titulaire de permis peut permettre à un fabricant d'alcool, à un de ses représentants ou employés ou à la Régie des alcools de l'Ontario d'apporter de l'alcool dans les locaux auxquels s'applique le permis afin de le faire déguster au titulaire de permis ou à ses employés en présence du fabricant, du représentant ou de l'employé.

(4) Le titulaire de permis veille à ce que :

- a) d'une part, la dégustation soit effectuée conformément aux lignes directrices données par le registrateur des alcools et des jeux en matière de dégustation d'alcool;
- b) d'autre part, l'alcool se trouvant dans les locaux à la fin de la dégustation soit emporté immédiatement de ceux-ci.

(5) Malgré le paragraphe (1), le titulaire d'un permis comportant un avenant qui permet d'apporter son propre vin peut permettre aux clients d'apporter des bouteilles scellées de vin produit dans le commerce au restaurant ou à la salle de réception auquel s'applique le permis.

34. (1) Le titulaire de permis ne doit pas permettre à un client d'emporter de l'alcool du local auquel s'applique le permis.

(2) Malgré le paragraphe (1), il peut être emporté de l'alcool du local auquel s'applique le permis s'il a été donné en prix à une loterie mise sur pied conformément à l'alinéa 207 (1) b) du *Code criminel* (Canada).

(3) Malgré le paragraphe (1), le titulaire de permis peut permettre au client qui a acheté une bouteille de vin produit dans le commerce de lui ou qui en a apporté une à un restaurant ou à une salle de réception, mais qui n'a pas consommé tout le vin d'une bouteille ouverte, d'emporter la bouteille du local pourvu d'un permis s'il a bouché de nouveau la bouteille avec un bouchon qui est au même niveau que le haut de la bouteille.

(4) Malgré le paragraphe (1), le titulaire de permis permet au client qui a apporté une bouteille de vin produit dans le commerce à un restaurant ou à une salle de réception, mais qui ne l'a pas ouverte, d'emporter la bouteille du restaurant ou de la salle de réception lorsque ce dernier quitte les lieux.

(5) Malgré les paragraphes (3) et (4), le titulaire de permis ne doit pas permettre à un client qui est ou semble être en état d'ivresse d'emporter du vin du local pourvu d'un permis.

35. (1) Le titulaire de permis veille à ce que des repas légers soient disponibles pour être vendus aux clients dans le local.

(2) Le titulaire d'un permis délivré à l'égard d'un local situé dans un théâtre n'est pas tenu de faire en sorte que des repas légers soient à vendre s'il est vendu et servi de l'alcool pendant au plus une heure avant le spectacle, durant l'entracte et pendant au plus une heure après le spectacle.

36. Le titulaire de permis veille à ce que les repas vendus et servis dans le local auquel s'applique le permis soient préparés sur les lieux ou dans un local avoisinant dont il a le contrôle.

37.

38. Le titulaire de permis veille à ce qu'une variété de boissons non alcoolisées soient à vendre à des prix modérés par rapport aux prix demandés pour de l'alcool.

39.

40.

41. (1) Le titulaire de permis veille à ce qu'une pièce d'identité de toute personne apparemment âgée de moins de 19 ans soit examinée avant qu'il lui soit vendu ou servi de l'alcool.

(2) Si le permis de vente d'alcool est assorti d'une condition interdisant l'entrée de personnes âgées de moins de 19 ans dans le local auquel s'applique le permis, le titulaire de permis veille à ce qu'une pièce d'identité soit examinée avant de permettre à quiconque d'y entrer.

(3) La pièce d'identité doit comprendre la photo de la personne et indiquer sa date de naissance et doit sembler raisonnablement avoir été délivrée par un gouvernement.

(4) Sans préjudice de la portée générale du paragraphe (3), la pièce d'identité peut correspondre à l'un quelconque des types prescrits au paragraphe (5).

(5) Les types de pièces d'identité suivants sont prescrits pour l'application du paragraphe 30 (6) de la Loi :

- 1. Un permis de conduire délivré par la province de l'Ontario, avec photo de son titulaire.
- 2. Un passeport canadien.
- 3. Une carte de citoyenneté canadienne avec photo de son titulaire.
- 4. Une carte d'identité des Forces armées canadiennes.
- 5.
- 6. Une carte-photo délivrée par la Régie des alcools de l'Ontario.

(6)

42. (1) À la demande d'un inspecteur désigné en vertu de l'article 43 de la Loi, le titulaire de permis demande une preuve de l'âge de quiconque se trouve dans le local auquel s'applique le permis.

(2) L'inspecteur peut faire la demande s'il croit que la personne peut être âgée de moins de 19 ans.

43. Le titulaire de permis veille à ce que le nombre de personnes qui se trouvent dans le local auquel s'applique le permis, y compris ses employés, ne dépasse pas la capacité du local indiquée sur le permis.

44. (1) Le titulaire de permis veille à ce que, aux heures où il est vendu ou servi de l'alcool, seules entrent derrière le bar du local auquel s'applique le permis les personnes suivantes :

- a) l'employé qu'il a autorisé à y entrer;
- b) le représentant d'un fabricant qui agit dans l'exercice de ses fonctions;
- c) un employé de la Commission des alcools et des jeux de l'Ontario;
- d) un inspecteur du gouvernement qui agit dans l'exercice de ses fonctions;
- e) un agent de police.

(2) Le titulaire de permis veille à ce que les agents de police qui agissent dans l'exercice de leurs fonctions aient accès au local auquel s'applique le permis et aux toilettes, aux aires de préparation de la nourriture et de l'alcool et aux aires d'entreposage adjacentes dont il a le contrôle exclusif.

45. (1) Le titulaire de permis ne doit pas permettre l'ivrognerie, le jeu illicite ou une conduite turbulente, querelleuse, violente ou désordonnée dans le local ou dans les toilettes, les aires de préparation de la nourriture et de l'alcool et les aires d'entreposage adjacentes dont il a le contrôle exclusif.

(2) Le titulaire de permis ne doit permettre à personne de détenir, de mettre en vente, de vendre, de distribuer ou de consommer une substance désignée au sens de la *Loi réglementant certaines drogues et autres substances* (Canada) dans le local ou dans les toilettes, les aires de préparation de la nourriture et de l'alcool et les aires d'entreposage adjacentes dont il a le contrôle exclusif.

46. Le titulaire d'un permis qui s'applique à un local extérieur ne doit pas permettre que du bruit causé directement ou indirectement du fait de divertissements qui y sont présentés ou de la vente et du service d'alcool ne dérange les personnes qui habitent à proximité du local.

47. (1) L'alcool appartenant au titulaire de permis doit être entreposé dans un endroit adjacent au local visé par le permis.

(2) Malgré le paragraphe (1), l'alcool peut être entreposé dans un endroit facilement accessible situé à proximité du local si celui-ci consiste en une voiture de chemin de fer ou un bateau ou qu'il n'est pas pratique de l'entreposer dans un endroit adjacent au local.

(3) Le titulaire de permis avise le registrateur des alcools et des jeux de l'endroit où se trouve l'alcool si celui-ci est entreposé ailleurs que dans le local conformément au paragraphe (2).

48. S'il est délivré un permis de vente d'alcool à l'égard de plus d'un local, la cave du jour d'un local ne peut desservir un second local que si les personnes qui servent de l'alcool ne sont pas obligées, pour se rendre au deuxième local, de le transporter en traversant une aire dont le titulaire de permis n'a pas le contrôle exclusif.

49. Le titulaire de permis ne doit pas modifier la superficie du local auquel s'applique le permis sans avoir obtenu le consentement écrit préalable du registrateur des alcools et des jeux.

50. Le titulaire d'un permis qui s'applique à un autre local qu'une voiture de chemin de fer ou un bateau veille à ce que le local soit conforme à ce qui suit :

- a) les règlements municipaux de zonage applicables à l'égard de l'usage du local;
- b) la *Loi de 1992 sur le code du bâtiment*;
- c) la *Loi de 1997 sur la prévention et la protection contre l'incendie*;
- d) la *Loi sur la protection et la promotion de la santé*.

51. Le titulaire d'un permis qui s'applique à un bateau doit avoir un certificat d'inspection valide délivré en application de la *Loi sur la marine marchande du Canada* (Canada) attestant la navigabilité du bateau.

52. Le titulaire de permis affiche le permis dans un endroit bien en vue du local auquel s'applique le permis.

53. Le titulaire de permis met à la disposition des personnes qui se trouvent dans le local, ou affiche dans des endroits bien en vue, des listes décrivant de qui suit :

- a) les variétés d'alcool à vendre;
- b) le volume d'alcool dans chaque type de boisson mis en vente;
- c) les variétés de boissons non alcoolisées à vendre;
- d) le prix d'achat de l'alcool ou des boissons non alcoolisées.

54. (1) Le titulaire de permis conserve pendant un an les registres suivants :

- a) ceux indiquant les achats d'alcool mis en vente dans le local auquel s'applique le permis;
- b) ceux indiquant les ventes d'alcool dans le local auquel s'applique le permis.

(2) Les registres doivent comprendre les factures d'achat.

55. (1) Si un permis est suspendu, le titulaire de permis pose l'affiche que lui fournit le registrateur des alcools et des jeux concernant la suspension et veille à ce qu'elle demeure en place pendant la durée de la suspension.

(2) L'affiche doit être posée dans un endroit bien en vue qui est visible de l'extérieur du local auquel s'applique le permis.

56. (1) Le titulaire de permis qui cesse d'exploiter le commerce rend immédiatement le permis au registrateur des alcools et des jeux.

(2) Le paragraphe (1) ne s'applique pas si une demande de cession de permis est présentée.

CONDITIONS DES AVENANTS RELATIFS AUX BRASSERIES ET AUX VINIBARS

57. (1) Le titulaire d'un permis de vente d'alcool comportant un avenant relatif à une brasserie veille à ce qu'il soit satisfait aux conditions de l'avenant énoncées au présent article.

(2) La bière fabriquée par le titulaire de permis doit l'être dans un établissement situé dans le local auquel s'applique le permis.

(3) La bière fabriquée par le titulaire de permis ne doit être vendue et consommée que, selon le cas :

- a) dans le local auquel s'applique le permis;
- b) dans un autre local que celui où la bière est fabriquée si :
 - (i) d'une part, le titulaire de permis détient un intérêt d'au moins 51 pour cent dans le commerce exploité dans l'autre local,
 - (ii) d'autre part, un permis de vente d'alcool s'applique à l'autre local;
- c) conformément à l'avenant relatif au traiteur dont est assorti son permis.

(4) La bière fabriquée par le titulaire de permis ne doit pas contenir plus de 6,5 pour cent d'alcool par unité de volume.

(5) L'affiche indiquant le pourcentage d'alcool que contient la bière fabriquée par le titulaire de permis doit être posée dans un endroit bien en vue du local auquel s'applique le permis.

(6) La bière fabriquée par le titulaire de permis doit l'être conformément aux normes établies en vertu de la *Loi sur les aliments et drogues* (Canada).

(7) Le titulaire de permis tient chaque jour un relevé indiquant la quantité de bière fabriquée aux fins de vente de même que la quantité vendue à chaque endroit mentionné au paragraphe (3) et conserve les relevés pendant deux ans.

58. (1) Le titulaire d'un permis de vente d'alcool comportant un avenant relatif à un vinibar veille à ce qu'il soit satisfait aux conditions de l'avenant énoncées au présent article.

(2) Le vin fabriqué par le titulaire de permis doit l'être dans un établissement situé dans le local auquel s'applique le permis.

(3) Le vin fabriqué par le titulaire de permis ne doit être vendu et consommé que dans le local auquel s'applique le permis.

(4) Le vin fabriqué par le titulaire de permis ne doit pas contenir plus de 14 pour cent d'alcool par unité de volume.

(5) L'affiche indiquant le pourcentage d'alcool que contient le vin fabriqué par le titulaire de permis doit être posée dans un endroit bien en vue du local auquel s'applique le permis.

(6) Le vin fabriqué par le titulaire de permis doit l'être conformément aux normes établies en vertu de la *Loi sur les aliments et drogues* (Canada).

(7) Le titulaire de permis tient chaque jour un relevé indiquant la quantité de vin fabriquée aux fins de vente de même que la quantité vendue dans le local auquel s'applique le permis et conserve les relevés pendant deux ans.

CONDITIONS DES AVENANTS RELATIFS AUX TRAITEURS

59. Le titulaire d'un permis de vente d'alcool comportant un avenant relatif au traiteur veille à ce qu'il soit satisfait aux conditions de l'avenant énoncées aux articles 60 à 66.1.

60. (1) Le titulaire de permis ne peut mettre de l'alcool en vente que lors d'activités qui ne durent pas plus de 10 jours de suite et qui sont commanditées par une autre personne que lui.

(2) Le titulaire de permis ne doit pas mettre d'alcool en vente lors d'une série d'activités commanditées par une même personne si, ce faisant, il exploite ou semble exploiter continuellement un commerce avec cette personne.

61. Il ne peut être vendu ou servi de l'alcool que lors d'activités où des repas légers sont également disponibles.
62. Le titulaire de permis ne doit pas vendre d'alcool lors d'activités qui se déroulent dans des habitations.
63. (1) Le local où se déroule une activité doit être conforme aux exigences du présent règlement qui ont trait aux locaux auxquels s'applique un permis de vente d'alcool.
- (2) Le paragraphe (1) ne s'applique pas à l'égard d'une habitation.
64. (1) Seuls le titulaire de permis ou ses employés peuvent vendre et servir de l'alcool lors d'activités.
- (2) Le titulaire de permis veille à ce que ses employés suivent un cours de formation des serveurs approuvé par le conseil de la Commission des alcools et des jeux de l'Ontario.
65. L'alcool qui n'est pas vendu lors d'une activité doit être ramené à l'inventaire du titulaire de permis.
66. Le titulaire de permis ne doit pas faire la promotion d'une activité lors de laquelle il met de l'alcool en vente ni inviter des personnes à y assister.
- 66.1 (1) Aucun local ne doit servir à la vente et au service d'alcool en vertu d'un avenant relatif au traiteur que comporte un permis de vente d'alcool si, selon le cas :
- une demande de permis à l'égard du local a été rejetée parce que la délivrance du permis aurait été contraire à l'intérêt public;
 - un permis à l'égard du local a été révoqué ou suspendu;
 - le local a été exclu en vertu de l'article 20 de la Loi.
- (2) Le titulaire de permis qui détient à la fois un avenant relatif au traiteur et un avenant qui permet d'apporter son propre vin ne doit permettre à personne d'apporter du vin dans le local où s'applique l'avenant relatif au traiteur par l'effet de l'avenant qui permet d'apporter son propre vin.

CONDITIONS DES AVENANTS RELATIFS AU SERVICE À L'ÉTAGE

67. Le titulaire d'un permis de vente d'alcool comportant un avenant relatif au service à l'étage veille, comme condition de l'avenant, à ce que de la nourriture soit à vendre avec l'alcool.

CONDITIONS DES PERMIS MINI BAR ET DES AVENANTS RELATIFS AUX MINI BARS

68. Le titulaire d'un permis mini bar ou d'un permis de vente d'alcool comportant un avenant relatif à un mini bar veille à ce qu'il soit satisfait aux conditions du permis ou de l'avenant, selon le cas, énoncées aux articles 70 à 75.

69.

70. (1) Le titulaire de permis ne peut conserver pour la vente, vendre et servir que de l'alcool :
-
 - qu'il a acheté auprès d'un magasin du gouvernement;
 - qu'il a acheté aux termes de son permis.
- (2) Lorsqu'il achète de l'alcool aux termes de son permis, le titulaire de permis fournit son numéro de permis au magasin du gouvernement.

71. Le titulaire de permis dispose d'une aire sécuritaire pour l'entreposage de l'alcool.

72. (1) Une chambre louée aux fins d'hébergement pour la nuit avec service mini bar doit être équipée d'un distributeur pour l'entreposage d'alcool et de boissons non alcoolisées.

(2) L'accès au contenu du distributeur doit être placé sous le contrôle du titulaire de permis ou être protégé par un dispositif de verrouillage.

73. (1) Le titulaire de permis veille à ce qu'aucune clé ni aucun autre dispositif de sécurité permettant d'avoir accès au contenu du distributeur dans une chambre avec service mini bar ne soit remis à une personne âgée de moins de 19 ans.

(2) La clé ou l'autre dispositif de sécurité permettant d'avoir accès au contenu du distributeur doit être séparé de la clé de la chambre.

74. Le distributeur qui se trouve dans une chambre avec service mini bar peut être réapprovisionné à tout moment.

75. Le titulaire de permis conserve pendant un an les registres indiquant les ventes du contenu des mini bars.

75.1 Le titulaire d'un permis de vente d'alcool comportant un avenant relatif à un terrain de golf veille à ce qu'il soit satisfait aux conditions suivantes de l'avenant :

- Les voitures motorisées servant à la vente et au service d'alcool doivent être conduites par un employé du titulaire qui est âgé de 18 ans ou plus.

2. Les boissons non alcoolisées doivent être mises en vente à partir des voiturettes motorisées servant à la vente et au service d'alcool.
3. Les employés qui vendent et servent de l'alcool à partir des voiturettes motorisées, ainsi que les patrouilleurs de terrain, doivent suivre un cours de formation des serveurs approuvé par la Commission des alcools et des jeux de l'Ontario.
4. Les golfeurs ne doivent pas boire d'alcool ni en tenir pendant qu'ils conduisent une voiturette de golf sur un terrain de golf.

EXEMPTIONS ET RÈGLES CONCERNANT LES STADES

76. (1) Il ne doit être délivré aucun avenant relatif à un stade à l'égard d'un stade à moins que le conseil de la municipalité dans laquelle est situé le stade n'ait adopté une résolution qui en approuve la délivrance.

(2) Malgré le paragraphe (1), la personne qui est titulaire d'un permis de vente d'alcool à l'égard d'un stade où la vente et le service d'alcool aux clients assis dans les gradins sont autorisés le jour de l'entrée en vigueur du présent article n'est pas tenue d'obtenir la résolution visée au paragraphe (1).

(3) Le paragraphe (1) ne s'applique pas aux locaux situés au Molson Amphitheatre à Place de l'Ontario à Toronto ni à ceux situés au Kingswood Music Theatre à Paramount Canada's Wonderland, 9580, rue Jane à Vaughan.

(4) Le registrateur des alcools et des jeux est soustrait à l'application du paragraphe 7 (1) de la Loi à l'égard de toute demande relative à un stade.

76.1 Les titulaires de permis de vente d'alcool comportant un avenant relatif à un stade sont soustraits à l'application du paragraphe 20.1 (4), de l'article 23, du paragraphe 32 (2) et de l'article 53.

77. Chaque titulaire de permis veille à ce qu'il soit satisfait aux conditions du permis qui sont énoncées au paragraphe 79 (4) et aux articles 80, 81, 83, 85 et 86 à l'égard des stades.

78. Un avenant relatif à un stade ne doit être délivré qu'à l'égard d'un stade servant principalement à des spectacles et à des manifestations sportives professionnelles qui se déroulent devant un auditoire.

79. (1)

(2)

(3)

(4) Le titulaire de permis veille à ce que soient posés de façon évidente un peu partout dans le stade des avis qui favorisent un usage responsable de l'alcool.

80. (1) Le titulaire d'un permis de vente d'alcool comportant un avenant relatif à un stade ne peut vendre et servir de l'alcool, aux fins de consommation, à des clients se trouvant dans les places assises, y compris les gradins, que pendant :

- a) soit une manifestation sportive approuvée par le registrateur des alcools et des jeux qui se déroule dans le stade devant un auditoire et pendant la période de 90 minutes qui la précède;
- b) soit un spectacle approuvé par le registrateur des alcools et des jeux qui se déroule dans le stade devant un auditoire et pendant la période de 90 minutes qui le précède.

(2) Le registrateur des alcools et des jeux ne doit pas approuver une manifestation sportive, pour l'application de l'alinéa (1) a), qui se déroule devant un auditoire si la majorité des participants à la manifestation ou les clients qui se trouvent dans le stade pendant qu'elle s'y déroule sont âgés de moins de 19 ans.

(3) Malgré le paragraphe (2), le registrateur des alcools et des jeux peut approuver une manifestation que parraine la Ligue de hockey de l'Ontario ou une ligue de hockey américaine même si la majorité des participants à la manifestation sont âgés de moins de 19 ans.

(4) Le registrateur des alcools et des jeux ne doit approuver un spectacle, pour l'application de l'alinéa (1) b), qui se déroule devant un auditoire que si les conditions suivantes sont réunies :

- a) l'éclairage prévu pour les gradins du stade pendant le spectacle est suffisant pour permettre de procéder à des inspections en application de la Loi et du présent règlement;
- b) la majorité des clients présents au spectacle sont âgés d'au moins 19 ans.

(5) Si le registrateur des alcools et des jeux a approuvé un spectacle, aux termes du paragraphe (4), se déroulant devant un auditoire, le titulaire de permis veille à ce que les exigences énoncées aux alinéas (4) a) et b) soient observées.

80.1

81. (1) Les lieux situés à The Coliseum, dans le Parc des expositions à Toronto, sont soustraits à l'application de l'article 11 à l'égard de la foire royale d'hiver de l'agriculture à condition que la vente et le service d'alcool soient faits en vertu d'un avenant relatif au traiteur.

(2) Le paragraphe 79 (4) et les articles 83, 85 et 86 s'appliquent à la vente et au service d'alcool aux clients assis dans les gradins de The Coliseum durant la foire royale d'hiver de l'agriculture comme si The Coliseum était un stade.

82.

83. Le titulaire de permis ne doit servir de l'alcool, aux fins de consommation, à des clients assis dans les gradins que dans des contenants distincts de ceux dans lesquels des boissons non alcoolisées sont servies.

84.

85. À chaque manifestation ou spectacle où il est vendu de l'alcool, le titulaire de permis veille à ce que du personnel chargé de la sécurité soit posté dans le stade en nombre suffisant pour maintenir l'ordre.

86. (1) Le titulaire de permis veille à ce que le personnel chargé de la sécurité qui est posté dans le stade et les personnes qui y servent de l'alcool ou qui sont chargés d'y gérer la vente et le service d'alcool suivent un cours approuvé par le conseil de la Commission des alcools et des jeux de l'Ontario sur le service d'alcool.

(2) Le paragraphe (1) ne s'applique pas aux agents de police de service rémunérés.

CONDITIONS DES AVENANTS PERMETTANT D'APPORTER SON PROPRE VIN

86.1 Le titulaire d'un permis de vente d'alcool comportant un avenant qui permet d'apporter son propre vin veille à ce qu'il soit satisfait aux conditions de l'avenant énoncées à l'article 86.2.

86.2 (1) Le titulaire de permis ne peut permettre à un client d'apporter au restaurant ou à la salle de réception auquel s'applique le permis que des bouteilles scellées de vin produit dans le commerce.

(2) Seul le titulaire de permis ou un de ses employés peut ouvrir une bouteille de vin apportée par le client au restaurant ou à la salle de réception.

(3) S'il reste du vin dans une bouteille de vin apportée par le client au restaurant ou à la salle de réception à la fin de sa visite, le titulaire de permis en dispose à moins qu'il ne soit permis au client d'emporter la bouteille conformément au paragraphe 34 (3) ou (4).

RÉCLAME DE L'ALCOOL ET DE SA DISPONIBILITÉ

87. (1) La définition qui suit s'applique au présent article.

«publicité d'intérêt public» S'entend de toute publicité comportant un message ferme contre l'usage irresponsable d'alcool si le message n'appuie pas directement ou indirectement l'alcool, une marque d'alcool ou la consommation d'alcool.

(2) Sauf s'il s'agit d'une publicité d'intérêt public, le titulaire d'un permis de vente d'alcool ne peut faire la réclame ou la promotion d'alcool ou de sa disponibilité que si la réclame satisfait aux conditions suivantes :

- a) elle est conforme au principe voulant que soit soulignée la responsabilité dans l'usage ou le service d'alcool;
- b) elle fait la promotion d'une marque ou d'un type général d'alcool et non de la consommation d'alcool en général;
- c) elle ne donne pas à penser que la consommation d'alcool est nécessaire à ce qui suit ou à son amélioration, selon le cas :
 - (i) le succès sur les plans social, professionnel ou personnel,
 - (ii) les prouesses athlétiques,
 - (iii) les prouesses sexuelles, l'attrait sexuel ou les occasions de relations sexuelles,
 - (iv) le plaisir qu'on trouve à faire une activité,
 - (v) l'accomplissement d'un but,
 - (vi) la résolution de problèmes sociaux, physiques ou personnels;
- d) elle n'exerce pas, directement ou indirectement, un attrait sur les personnes qui n'ont pas l'âge légal pour consommer de l'alcool ou n'est pas placée dans un média qui cible spécifiquement de telles personnes;
- e) elle n'associe pas la consommation d'alcool avec la conduite d'un véhicule automobile ou avec toute autre activité qui nécessite des soins et de l'aptitude ou qui comporte des éléments de danger physique;
- f) elle n'illustre pas des véhicules automobiles en mouvement dans une réclame présentant la consommation d'alcool, sauf s'il s'agit d'un véhicule de transport en commun;
- g) elle ne suggère aucunement la vente, l'achat, un cadeau, une manutention ou une consommation illégaux d'alcool;
- h) elle est conforme aux lignes directrices données par le registrateur des alcools et des jeux en la matière.

(3) Lorsque des locaux auxquels s'applique un permis sont utilisés comme décor en vue d'une émission de télévision ou de la réalisation d'un film, le titulaire de permis peut indiquer le nom de l'établissement s'il se conforme aux exigences énoncées au paragraphe (2).

RENSEIGNEMENTS ET RAPPORTS

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91. (1) Au moins 10 jours avant la tenue d'une activité avec service de traiteur, le titulaire d'un permis de vente d'alcool comportant un avenant relatif au traiteur fournit au registrateur des alcools et des jeux et aux services de police, d'incendie, de santé et du bâtiment locaux des précisions concernant ce qui suit :

- a) la nature de l'activité et le nom du commanditaire;
- b) l'adresse où l'activité aura lieu;
- c) les date et heures auxquelles se déroulera l'activité;
- d) le nombre de personnes attendues à l'activité;
- e) les limites de l'aire où de l'alcool sera vendu et servi.

(2) Le titulaire de permis est soustrait à l'application du paragraphe (1) à l'égard des activités qui se déroulent dans un local dont il a le contrôle exclusif s'il donne au registrateur des alcools et des jeux un préavis de son intention de tenir des activités avec service de traiteur dans le local qui y est précisé.

(3) Le titulaire de permis est soustrait à l'application du paragraphe (1) à l'égard des activités qui se déroulent dans des habitations.

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93. Si une autre personne que le titulaire d'un permis de vente d'alcool ou d'un permis mini-bar a le droit de recevoir 15 pour cent ou plus des recettes brutes provenant de la vente d'alcool en vertu du permis, le titulaire fournit au registrateur des alcools et des jeux une copie de l'accord ou, s'il ne s'agit pas d'un accord écrit, des précisions sur l'arrangement qui donne droit à la personne au paiement dans les 30 jours suivant la conclusion de l'accord.

CESSION DE PERMIS

94. (1) Un transfert de propriété d'un commerce visé au présent article est un transfert prescrit pour l'application du paragraphe 16 (1) de la Loi.

(2) Un transfert prescrit se produit lorsqu'une autre personne que le titulaire de permis acquiert le droit aux bénéfices de la vente d'alcool et devient responsable des obligations contractées lors de la vente d'alcool dans le local auquel s'applique le permis.

(3) Un transfert prescrit se produit dans les circonstances suivantes :

- 1. Un associé se retire de la société en nom collectif qui est un titulaire de permis.
- 2. Le titulaire de permis qui est une entreprise à propriétaire unique devient une personne morale et l'ancien propriétaire unique est le seul dirigeant, administrateur et actionnaire de la personne morale.
- 3. Le titulaire de permis qui est une société en nom collectif devient une personne morale et les anciens associés sont les seuls dirigeants, administrateurs et actionnaires de la personne morale.
- 4. Le titulaire de permis qui est une personne morale devient une nouvelle personne morale et les dirigeants, administrateurs et actionnaires de l'ancienne personne morale sont les seuls dirigeants, administrateurs et actionnaires de la nouvelle personne morale.
- 5. Le titulaire de permis qui est une personne morale composée d'un unique dirigeant, administrateur et actionnaire devient une entreprise à propriétaire unique et l'unique dirigeant, administrateur et actionnaire de l'ancienne personne morale est le propriétaire unique.
- 6. Le titulaire de permis qui est une personne morale devient une société en nom collectif et les dirigeants, administrateurs et actionnaires de l'ancienne personne morale sont les seuls associés.

(4) Même si un transfert prescrit se produit par suite du retrait d'un associé d'une société en nom collectif, cette dernière peut, pour l'application du paragraphe 16 (1) de la Loi, conserver pour la vente, mettre en vente ou vendre de l'alcool, ou d'en livrer moyennant rétribution, si elle remet au registrateur des alcools et des jeux un avis du transfert dans les 30 jours qui suivent celui-ci.

95. (1) Un transfert de propriété d'un titulaire de permis qui est une personne morale visée au présent article est un transfert prescrit pour l'application du paragraphe 16 (2) de la Loi.

(2) Un transfert prescrit se produit lorsqu'une personne acquiert plus de 10 pour cent des actions participantes de la personne morale par suite de l'émission des actions ou du transfert d'actions de la personne morale.

(3) La définition qui suit s'applique au paragraphe (2).

«action participante» S'entend des actions qui sont assorties d'un droit de vote en toutes circonstances ou dans certaines circonstances qui se sont produites et qui se poursuivent.

(4) Un transfert prescrit se produit lorsque les actions de la personne morale sont converties en actions d'une autre personne morale avec laquelle elle fusionne.

(5) Un transfert prescrit se produit lorsque, selon le cas :

- a) une personne devient un administrateur ou un dirigeant d'une personne morale ou cesse de l'être;
- b) une personne devient un actionnaire d'une compagnie mère qui possède une participation majoritaire dans la personne morale ou cesse de l'être.

(6) Même si un transfert prescrit se produit en application du paragraphe (5), il est permis à la personne morale, pour l'application du paragraphe 16 (2) de la Loi, de conserver pour la vente, de mettre en vente ou de vendre de l'alcool, ou d'en livrer moyennant rétribution, si elle remet au registrateur des alcools et des jeux un avis du transfert dans les 30 jours qui suivent celui-ci.

96. Pour l'application du paragraphe 18 (1) de la Loi (cession temporaire d'un permis), le registrateur des alcools et des jeux peut céder un permis lorsque, selon le cas :

- a) un syndic de faillite acquiert le commerce du titulaire de permis;
- b) un séquestre nommé par le tribunal acquiert le commerce du titulaire de permis;
- c) un créancier hypothécaire prend possession du local auquel s'applique le permis;
- d) un franchiseur prend possession du local auquel s'applique le permis;
- e) le locateur prend possession du local auquel s'applique le permis;
- f) les exécuteurs testamentaires ou administrateurs successoraux de la succession d'un titulaire de permis décédé prennent possession du local auquel s'applique le permis.

AGRANDISSEMENT TEMPORAIRE D'UN LOCAL

97. Le registrateur des alcools et des jeux peut approuver l'agrandissement temporaire du local auquel s'applique un permis de vente d'alcool pour une période de 14 jours ou moins si l'agrandissement est contigu au local.

NON-APPLICATION DE DISPOSITIONS DE LA LOI

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98.3 Le registrateur des alcools et des jeux est soustrait à l'application du paragraphe 6 (6) de la Loi à l'égard d'une demande de renouvellement ou de cession d'un permis de vente d'alcool que présente un syndic de faillite ou un séquestre nommé par le tribunal.

99. (1) Le registrateur des alcools et des jeux est soustrait à l'application du paragraphe 7 (1) de la Loi à l'égard d'une demande de permis si les conditions suivantes sont réunies :

- a) un permis précédent à l'égard du local était en vigueur moins de six mois avant la date de présentation de la demande;
- b) le permis précédent n'a pas été révoqué en raison de l'intérêt public.

(2) Le registrateur des alcools et des jeux est soustrait à l'application du paragraphe 7 (1) de la Loi à l'égard d'une demande de permis visant un local pour lequel une demande précédente a été présentée si les conditions suivantes sont réunies :

- a) l'avis de la demande précédente a été donné pour la première fois en application du paragraphe 7 (1) de la Loi dans les sept mois qui précèdent la présentation de la demande actuelle;
 - b) la demande précédente n'a pas été rejetée en raison de l'intérêt public.
- (3) Si un titulaire de permis présente une demande en vue d'ajouter des installations au local auquel s'applique le permis, d'augmenter la capacité du local ou d'en modifier la superficie, le registrateur des alcools et des jeux est soustrait à l'application du paragraphe 7 (1) de la Loi :

- a) d'une part, à l'égard d'un local intérieur dont la capacité est diminuée ou augmentée :
 - (i) soit de moins de 25 pour cent, si la capacité du local est de 80 personnes ou plus,
 - (ii) soit de moins de 20 personnes, si la capacité du local est de moins de 80 personnes;
 - b) d'autre part, à l'égard d'un local extérieur dont la capacité est diminuée ou augmentée de moins de 25 pour cent.
- (4) Pour l'application du paragraphe (3), un changement dans la capacité d'un local est mesuré par rapport à la capacité maximale du local indiquée sur le permis qui a été délivré après que le plus récent avis a été donné en application du paragraphe 7 (1) de la Loi.

(5) Le registrateur des alcools et des jeux est soustrait à l'application du paragraphe 7 (1) de la Loi à l'égard d'une demande de permis de vente d'alcool présentée par les Forces canadiennes.

(6) Le registrateur des alcools et des jeux est soustrait à l'application du paragraphe 7 (1) de la Loi à l'égard d'une demande d'un permis mini-bar.

(7) Le conseil de la Commission des alcools et des jeux de l'Ontario est soustrait à l'application de l'alinéa 80 (2) a) à l'égard de l'activité connue sous le nom de Molson Indy à Toronto.

100. Le titulaire d'un permis de vente d'alcool comportant un avenant relatif au traiteur et ses employés sont soustraits à l'application du paragraphe 32 (1) de la Loi (transport d'alcool à bord d'un véhicule) lorsqu'ils transportent de l'alcool qui a été acheté en vertu du permis entre le local auquel s'applique le permis et l'endroit où se déroule une activité avec service de traiteur.

100.1 Les golfeurs qui ont obtenu de l'alcool à partir de toute aire d'un terrain de golf visée par un permis sont soustraits à l'application du paragraphe 32 (1) de la Loi pendant qu'ils conduisent une voiturette de golf ou qu'ils en ont la garde ou la surveillance sur l'aire de jeu d'un terrain.

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DISPOSITIONS TRANSITOIRES

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112. (1) Les conditions visées au présent article s'appliquent à chaque permis qui s'applique à l'égard de locaux :

- a) d'une part, qui étaient classés comme associations, cantines, centres de villégiature et installations de loisirs en vertu du Règlement 581 des Règlements refondus de l'Ontario de 1990, tel qu'il existait immédiatement avant le 15 septembre 1990;
- b) d'autre part, qui étaient, immédiatement avant le 15 septembre 1990, situés dans des municipalités qui interdisent la vente d'alcool dans d'autres catégories de locaux.

(2) Il ne peut être vendu et servi d'alcool qu'aux catégories de personnes qui avaient le droit d'utiliser les locaux immédiatement avant le 15 septembre 1990.

(3) Le titulaire de permis ne peut vendre et servir que les types d'alcool qu'il était autorisé à vendre immédiatement avant le 15 septembre 1990.

113.

21/06

ONTARIO REGULATION 192/06

made under the

MINING ACT

Made: May 3, 2006

Filed: May 10, 2006

Published on e-Laws: May 11, 2006

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PERMISSION TO TEST MINERAL CONTENT

Interpretation

1. In this Regulation,

“material” has the same meaning as in subsection 3 (2) of Ontario Regulation 240/00 (Mine Development and Closure Under Part VII of the Act) made under the Act.

Conditions re s. 52 (1) of the Act

2. The conditions set out in this Regulation are prescribed for the purposes of subsection 52 (1) of the Act.

Application for permission

3. (1) No person shall mine, mill or refine mineral bearing substance from an unpatented mining claim for the purpose of testing mineral content unless the person has applied for, and received, the written permission of the Minister to do the work.

(2) An application for a written permission under subsection (1) shall contain the following information:

1. The name of the applicant.
2. The claim numbers, a legal description of the claim and copies of the claim ownership documents.
3. If applicable, the written permission of the person or persons holding surface rights to the excavation site.
4. A location map of the excavation site at an appropriate scale and a geographic description of the excavation site.
5. A description of the material to be excavated and a grade estimate of the material.
6. The purpose of testing the mineral content of the material to be excavated.
7. The amount of mineral bearing substance and of other material to be excavated.
8. Excavation methods to be used.
9. The estimated time required to complete the excavation, mining, milling, refining and testing.
10. A description of the specific milling, refining or testing activities that are to occur and the location of each site on which such activities are to occur.
11. Disposal methods to be used for any end products.
12. Safety measures to be used throughout the excavation, mining, milling, refining and testing.
13. Rehabilitation measures to be performed after completion of the excavation.

Financial assurance

4. (1) An applicant for a written permission under subsection 3 (1) shall submit, together with the application, financial assurance equal to the greater of,

- (a) \$500; or
- (b) \$1.00 for each tonne of material to be excavated.

(2) Financial assurance required under subsection (1) shall be in cash and shall be paid into a special purpose account.

(3) On completion of the requirements set out in paragraphs 5 and 6 of subsection 5 (1), the Minister shall, on request, return the financial assurance paid under subsection (1), unless it is proven that the applicant did not, in fact, complete the requirements.

Conditions

5. (1) A written permission under subsection 3 (1) is subject to the following conditions:

1. The person who has the written permission shall not excavate more than 1,000 tonnes of material unless any requirements that are required by Part VII of the Act to be satisfied prior to commencing advanced exploration within the meaning of the Act are satisfied.
2. The person who has the written permission shall, if the person excavates over 1,000 tonnes of material, comply with the requirements and conditions set out in this Regulation and in Part VII of the Act.
3. The person who has the written permission shall ensure that any work authorized under the written permission proceeds as described in the portions of the application for permission that address the requirements of paragraphs 7 to 13 of subsection 3 (2).
4. The person who has the written permission shall ensure that the following practices are followed in the course of carrying out any work authorized under the written permission:
 - i. Where it is reasonably practicable, milling, refining and testing activities occur at a site separate from the excavation site.
 - ii. At the excavation site,
 - A. signs identify any mine hazards on the site,
 - B. fences are installed at the brow of any vertical rock face or pit wall greater than three metres in height,
 - C. measures are in place to prevent inadvertent access to the site, where appropriate, and
 - D. stripped topsoil and overburden are stockpiled on the site for use in future rehabilitation measures.
5. The person who has the written permission shall ensure that the following rehabilitation measures are performed at any excavation site on which work authorized under the written permission was done, in addition to any rehabilitation measures that are listed in the application in relation to paragraph 13 of subsection 3 (2):
 - i. Removal of all equipment, chemicals, oils, contaminated soil, temporary shelters, explosives and garbage from the site.
 - ii. For any rock face or pit wall greater than three metres in height, reduction of the rock face or pit wall to three metres, or the sloping of the rock face or pit wall.
 - iii. Restoration and contouring of the disturbed area using waste rock, stockpiled overburden and topsoil.
 - iv. Revegetation of restored and contoured areas, where appropriate.
6. The person who has the written permission shall, by the date specified in the written permission, submit a signed report to the Minister containing the following information regarding the results of the mineral testing:
 - i. The location of the excavation site.
 - ii. The number of tonnes of material excavated, tonnes removed from the excavation site and tonnes tested.
 - iii. Plans and sections of excavations.
 - iv. A description of the physical tests, chemical tests, milling tests and engineering tests performed and the results of the tests.
 - v. A description of the marketing tests performed and the results of the tests.
 - vi. A description of the rehabilitation work completed.
 - vii. A description of the safety measures provided.
 - viii. A description of the product or mineral produced from the excavated material.
 - ix. The revenues from the sale of the product or mineral that is produced from the excavated material.
 - x. The total cost of the work, including excavation, mining, milling, refining, testing, transportation, evaluation and rehabilitation costs.
 - xi. Future development plans for the excavation site.

(2) The rehabilitation work required under paragraph 5 of subsection (1) shall be completed within three months of the completion of the excavation work, unless the Minister grants an extension of time to complete the rehabilitation work.

(3) Paragraph 5 of subsection (1) does not apply to a site that has been incorporated into an acknowledged or approved closure plan under Part VII of the *Mining Act* or a site plan approved under the *Aggregate Resources Act*.

Breach of a condition

6. (1) A person who has a written permission under subsection 3 (1) shall notify the Minister of a breach of a condition set out in this Regulation,

- (a) for a breach of a deadline, at least 10 days before the deadline; or
- (b) for a breach of a condition other than a breach of a deadline, no later than 10 days after the earlier of,
 - (i) the first day the breach occurred, or
 - (ii) the first day the person knew or should have known of the breach.

(2) If a condition set out in this Regulation is breached or if a notice of a breach required under subsection (1) is not given, the Minister may revoke the written permission.

Transition

7. A written permission that is issued in respect of any application received at the Ministry on or after the day this Regulation comes into force is subject to the conditions set out in this Regulation.

Commencement

8. This Regulation comes into force 90 days after it is filed.

RÈGLEMENT DE L'ONTARIO 192/06

pris en application de la

LOI SUR LES MINES

pris le 3 mai 2006
déposé le 10 mai 2006
publié sur le site Lois-en-ligne le 11 mai 2006
imprimé dans la *Gazette de l'Ontario* le 27 mai 2006

AUTORISATION D'ANALYSER LA TENEUR EN MINÉRAUX

Définition

1. La définition qui suit s'applique au présent règlement.

«matière» S'entend au sens du paragraphe 3 (2) du Règlement de l'Ontario 240/00 (Mine Development and Closure under Part VII of the Act), pris en application de la Loi.

Conditions : par. 52 (1) de la Loi

2. Les conditions énoncées dans le présent règlement sont prescrites pour l'application du paragraphe 52 (1) de la Loi.

Demande d'autorisation

3. (1) Nul ne doit exploiter, fragmenter ou raffiner une substance contenant des minéraux provenant d'un claim non concédé par lettres patentes afin d'en analyser la teneur en minéraux, sauf s'il a demandé et reçu l'autorisation écrite du ministre pour exécuter les travaux.

(2) La demande d'autorisation écrite visée au paragraphe (1) contient les renseignements suivants :

- 1. Le nom de l'auteur de la demande.
- 2. Les numéros et la description légale du claim de même que des copies des documents relatifs à la propriété de celui-ci.
- 3. Le cas échéant, l'autorisation écrite du ou des titulaires des droits de surface relatifs au lieu d'excavation.
- 4. Une carte d'emplacement du lieu d'excavation à l'échelle appropriée et une description géographique du lieu.

5. Une description de la matière devant être extraite et une estimation de sa qualité.
6. L'objet de l'analyse de la teneur en minéraux de la matière devant être extraite.
7. La quantité de toute substance contenant des minéraux et de toute autre matière devant être extraite.
8. Les méthodes d'excavation à employer.
9. Une estimation du délai nécessaire pour achever les travaux d'excavation, d'exploitation, de fragmentation, de raffinage et d'analyse.
10. Une description des activités précises de fragmentation, de raffinage ou d'analyse qui seront exercées et de l'emplacement où se trouve chaque lieu où elles doivent l'être.
11. Les méthodes d'aliénation à employer à l'égard de tout produit final.
12. Les mesures de sécurité à appliquer au cours des travaux d'excavation, d'exploitation, de fragmentation, de raffinage et d'analyse.
13. Les mesures de réhabilitation à prendre après l'achèvement des travaux d'excavation.

Garantie financière

4. (1) L'auteur d'une demande d'autorisation écrite visée au paragraphe 3 (1) remet avec la demande une garantie financière égale au plus élevé des montants suivants :

- a) 500 \$;
- b) 1,00 \$ pour chaque tonne de matière devant être extraite.

(2) La garantie financière exigée aux termes du paragraphe (1) est en argent comptant et est versée dans un compte spécial.

(3) Une fois qu'il a été satisfait aux exigences des dispositions 5 et 6 du paragraphe 5 (1), le ministre rembourse la garantie financière versée aux termes du paragraphe (1) à l'auteur de la demande, sur demande de ce dernier, à moins qu'il ne soit prouvé que celui-ci n'a pas, en réalité, satisfait aux exigences.

Conditions

5. (1) L'autorisation écrite visée au paragraphe 3 (1) est assujettie aux conditions suivantes :

1. Son titulaire ne doit pas extraire plus de 1 000 tonnes de matière à moins d'avoir satisfait aux exigences de la partie VII de la Loi auxquelles il faut satisfaire avant d'entreprendre des activités d'exploration avancées au sens de la Loi.
2. S'il extrait plus de 1 000 tonnes de matière, son titulaire se conforme aux exigences et aux conditions énoncées dans le présent règlement et à la partie VII de la Loi.
3. Son titulaire veille à ce que les travaux autorisés aux termes de celle-ci procèdent tel que prévu aux parties de la demande d'autorisation qui traitent des exigences énoncées aux dispositions 7 à 13 du paragraphe 3 (2).
4. Son titulaire veille à ce que soient suivies les pratiques suivantes au cours des travaux autorisés aux termes de celle-ci :
 - i. Lorsque cela est raisonnablement possible, les activités de fragmentation, de raffinage et d'analyse sont exercées ailleurs que sur le lieu d'excavation.
 - ii. Sur le lieu d'excavation :
 - A. les risques miniers, s'il y en a, sont identifiés au moyen de panneaux indicateurs,
 - B. des clôtures sont installées au sommet de toute paroi rocheuse verticale ou paroi de puits dont la hauteur dépasse trois mètres,
 - C. si cela est approprié, des mesures sont en place pour empêcher l'accès involontaire au lieu,
 - D. la terre arable et les morts-terrains enlevés sont empilés sur le lieu en vue de leur utilisation lors de la prise de mesures de réhabilitation futures.
5. Son titulaire veille à ce que les mesures de réhabilitation suivantes soient prises sur tout lieu d'excavation où ont été exécutés des travaux autorisés aux termes de celle-ci, en plus de celles indiquées sur la demande présentée relativement à la disposition 13 du paragraphe 3 (2) :
 - i. L'enlèvement du lieu de tout l'équipement et de tous les produits chimiques, huiles, sols contaminés, abris temporaires, explosifs et déchets.
 - ii. La réduction à trois mètres de toute paroi rocheuse verticale ou paroi de puits dont la hauteur dépasse trois mètres, ou l'aménagement en pente de la paroi rocheuse ou de la paroi de puits.

- iii. Le rétablissement et le remblayage de la zone perturbée à l'aide de stériles, de morts-terrains empilés et de terre arable.
 - iv. Le reverdissement des zones rétablies et remblayées, si cela est approprié.
6. Son titulaire remet au ministre, au plus tard à la date qui y est précisée, un rapport signé qui contient les renseignements suivants concernant les résultats de l'analyse des minéraux :
- i. L'emplacement du lieu d'excavation.
 - ii. Le nombre de tonnes de matière extraites, de tonnes enlevées du lieu d'excavation et de tonnes analysées.
 - iii. Les plans et coupes des excavations.
 - iv. Une description des analyses physiques, chimiques et techniques ainsi que des analyses de fragmentation effectuées et des résultats obtenus.
 - v. Une description de la commercialisation et des études de commercialisation effectuées et des résultats obtenus.
 - vi. Une description des travaux de réhabilitation achevés.
 - vii. Une description des mesures de sécurité prises.
 - viii. Une description du produit ou des minéraux tirés de la matière extraite.
 - ix. Le produit des ventes du produit ou des minéraux tirés de la matière extraite.
 - x. Le coût total des travaux exécutés, notamment les frais d'excavation, d'exploitation, de fragmentation, de raffinage, d'analyse, de transport, d'évaluation et de réhabilitation.
 - xi. Les plans futurs d'aménagement du lieu d'excavation.

(2) Les travaux de réhabilitation exigés aux termes de la disposition 5 du paragraphe (1) sont achevés dans les trois mois qui suivent l'achèvement des travaux d'excavation, sauf si le ministre accorde une prorogation de ce délai.

(3) La disposition 5 du paragraphe (1) ne s'applique pas si le lieu a été incorporé à un plan de fermeture qui a fait l'objet d'un accusé de réception ou a été approuvé aux termes de la partie VII de la *Loi sur les mines*, ou s'il a été incorporé à un plan d'implantation approuvé aux termes de la *Loi sur les ressources en agrégats*.

Violation d'une condition

6. (1) Le titulaire d'une autorisation écrite visée au paragraphe 3 (1) avise le ministre de toute violation d'une condition énoncée dans le présent règlement dans les délais suivants :

- a) dans le cas d'une violation d'un délai, au moins 10 jours avant l'expiration de celui-ci;
- b) dans le cas d'une violation d'une condition autre qu'un délai, au plus tard 10 jours après le premier en date des jours suivants :
 - (i) le premier jour où est survenue la violation,
 - (ii) le premier jour où la personne a eu ou aurait dû avoir connaissance de la violation.

(2) Le ministre peut révoquer l'autorisation écrite si une condition énoncée dans le présent règlement a été violée ou que l'avis d'une violation qu'exige le paragraphe (1) n'a pas été donné.

Disposition transitoire

7. L'autorisation écrite qui est accordée à l'égard d'une demande que reçoit le ministère le jour de l'entrée en vigueur du présent règlement ou par la suite est assujettie aux conditions énoncées dans ce dernier.

Entrée en vigueur

8. Le présent règlement entre en vigueur 90 jours après son dépôt.

ONTARIO REGULATION 193/06

made under the

MINING ACT

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Amending O. Reg. 6/96

(Assessment Work)

Note: Ontario Regulation 6/96 has previously been amended. Those amendments are listed in the Table of Regulations - Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. The Table to section 2 of Ontario Regulation 6/96 is revoked and the following substituted:

TABLE

| Column 1 | Column 2 |
|---|--|
| Number of assessment years after the recording of the claim | Cumulative value of assessment work for each unit of 16 hectares or other size claim unit required by s. 5 (12) to (17) of Ontario Regulation 7/96 (Claim Staking) |
| 1 | \$0 |
| 2 | 400 |
| 3 | 800 |
| 4 | 1,200 |
| 5 | 1,600 |
| 6 and subsequent years | An additional \$400 per year |

2. Section 8 of the Regulation is amended by adding the following subsection:

(1.1) Assessment work credits obtained in accordance with subsection (1) for regional surveys and prospecting work performed on Crown land are eligible for assignment to contiguous mining claims if the same person was a holder of, had a beneficial interest in or was an optionee of record of,

- (a) the claims subsequently staked and recorded in the area of the Crown land on which the work was performed, at the time it was performed and reported; and
- (b) any claims contiguous to the claims referred to in clause (a), at the time the work was performed and reported.

3. Paragraph 8 of subsection 16 (10) of the Regulation is amended by striking out "mining recorder" and substituting "office designated by the Minister".

4. Sections 21 and 22 of the Regulation are revoked and the following substituted:**ELECTRONIC SUBMISSION OF DOCUMENTS FOR ASSESSMENT WORK CREDIT**

21. (1) All documents that must be submitted for assessment work credit under this Regulation may be submitted,

- (a) through the Electronic Assessment System website available on the Internet through <http://www.ndm.gov.on.ca> in the formats described in subsection (2); or
- (b) on one or more compact discs containing electronic versions of the documents in the formats described in subsection (3).

(2) Documents submitted through the Electronic Assessment System website must be submitted using the forms provided on the website where those forms are available and, where such forms are not available, the documents must be submitted in PDF format, with the exception of maps, figures or other diagrams which may be submitted in PDF or JPEG format.

(3) Documents submitted on a compact disc must be in PDF format, with the exception of maps, figures or other diagrams which may be submitted in PDF or JPEG format.

(4) A compact disc must be identified by a label affixed to the disc that gives the name, address, phone number, fax number and e-mail address, if any, of the person submitting it.

(5) A compact disc must contain a table of contents, in PDF format, listing all the documents on the compact disc, and must be accompanied by a paper copy of the assessment work in the required form.

(6) All documents submitted through the Electronic Assessment System website or on compact disc must satisfy the requirements contained in this Regulation, except that the requirement for a signature referred to in the following provisions of this Regulation does not apply:

1. Subclause 9 (a) (v).
2. Subclause 10 (2) (a) (vi).
3. Clause 11 (2) (n).
4. Clause 16 (3) (q).

(7) All documents submitted through the Electronic Assessment System website or on compact disc must be received at the office designated by the Minister no later than 4:30 p.m. on the anniversary date.

22. If documents are submitted through the Electronic Assessment System website or on compact disc, revisions to those documents may be made by e-mail or through the Electronic Assessment System.

23. If documents are submitted through the Electronic Assessment System website or on compact disc and the submission cannot be received at the office designated by the Minister due to a failure of a Ministry of Northern Development and Mines server or other Ministry or government computer equipment, the person submitting the documents must submit them no later than 4:30 p.m. on the anniversary date, in accordance with,

- (a) the requirements for paper submissions contained in this Regulation; or
- (b) the requirements for submissions by fax set out in sections 10 and 11 of Ontario Regulation 113/91 (General) made under the Act, except that the requirement in subsection 10 (1) of that regulation that fax submissions be limited to 11 pages does not apply.

5. This Regulation comes into force 90 days after it is filed.

RÈGLEMENT DE L'ONTARIO 193/06

pris en application de la

LOI SUR LES MINES

pris le 3 mai 2006

déposé le 10 mai 2006

publié sur le site Lois-en-ligne le 11 mai 2006

imprimé dans la *Gazette de l'Ontario* le 27 mai 2006

modifiant le Règl. de l'Ont. 6/96
(Travaux d'évaluation)

Remarque : Le Règlement de l'Ontario 6/96 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des règlements qui se trouve sur le site www.lois-en-ligne.gouv.on.ca.

1. Le tableau figurant à l'article 2 du Règlement de l'Ontario 6/96 est abrogé et remplacé par ce qui suit :

TABLEAU

| Colonne 1 | Colonne 2 |
|--|---|
| Nombre d'années d'évaluation après l'enregistrement du claim | Valeur cumulative des travaux d'évaluation pour chaque unité de 16 hectares ou unité de claim d'une autre dimension qu'exigent les paragraphes 5 (12) à (17) du Règl. de l'Ont. 7/96 (Travaux d'évaluation) |
| 1 | 0 \$ |
| 2 | 400 |
| 3 | 800 |
| 4 | 1 200 |
| 5 | 1 600 |
| 6 années et plus | 400 \$ de plus par année |

2. L'article 8 du Règlement est modifié par adjonction du paragraphe suivant :

(1.1) Les crédits de jours de travail d'évaluation obtenus en vertu du paragraphe (1) pour les arpentages régionaux et les travaux de prospection exécutés sur des terres de la Couronne peuvent être transférés à des claims contigus si la même personne avait un intérêt bénéficiaire sur les claims suivants, en était titulaire ou était un optant enregistré à leur égard :

- a) les claims jalonnés et enregistrés subséquemment dans le secteur des terres de la Couronne sur lesquelles les travaux ont été exécutés, au moment où ils ont été exécutés et ont fait l'objet d'un rapport;
- b) le cas échéant, les claims contigus à ceux visés à l'alinéa a), au moment où les travaux ont été exécutés et ont fait l'objet d'un rapport.

3. La disposition 8 du paragraphe 16 (10) du Règlement est modifiée par substitution de «bureau que désigne le ministre» à «registrateur de claims».

4. Les articles 21 et 22 du Règlement sont abrogés et remplacés par ce qui suit :**SOUSSION ÉLECTRONIQUE DE DOCUMENTS POUR LES CRÉDITS DE JOURS DE TRAVAIL D'ÉVALUATION**

21. (1) Tous les documents pour lesquels des crédits de jours de travail d'évaluation doivent être demandés aux termes du présent règlement peuvent être soumis :

- a) soit par le biais du site Web du système informatisé d'enregistrement des travaux d'évaluation <http://www.ndm.gov.on.ca>, dans les formats décrits au paragraphe (2);
- b) soit sur un ou plusieurs disques compacts contenant des versions électroniques des documents, dans les formats décrits au paragraphe (3).

(2) Les documents soumis par le biais du site Web du système informatisé d'enregistrement des travaux d'évaluation doivent être soumis sur les formules fournies sur le site, si elles sont disponibles, sinon ils doivent être soumis en format PDF. Toutefois, les cartes, schémas ou autres diagrammes peuvent être soumis en format PDF ou JPEG.

(3) Les documents soumis sur disque compact doivent être en format PDF. Toutefois, les cartes, schémas ou autres diagrammes peuvent être soumis en format PDF ou JPEG.

(4) Le disque compact doit être identifié par une étiquette, fixée sur celui-ci, qui indique les nom, adresse, numéro de téléphone, numéro de télécopieur et adresse électronique, le cas échéant, de la personne qui le soumet.

(5) Le disque compact doit contenir une table des matières en format PDF qui indique tous les documents enregistrés sur lui. Une copie papier des travaux d'évaluation, présentés selon la formule exigée, doit être jointe au disque compact.

(6) Tous les documents soumis par le biais du site Web du système informatisé d'enregistrement des travaux d'évaluation ou sur disque compact doivent être conformes à ce qu'exige le présent règlement. Toutefois, les signatures exigées aux dispositions suivantes du Règlement ne sont pas requises :

1. Le sous-alinéa 9 a) (v).
2. Le sous-alinéa 10 (2) a) (vi).
3. L'alinéa 11 (2) n).
4. L'alinéa 16 (3) q).

(7) Tous les documents soumis par le biais du site Web du système informatisé d'enregistrement des travaux d'évaluation ou sur disque compact doivent être reçus au bureau que désigne le ministre au plus tard à 16 h 30 à la date d'anniversaire.

22. Si les documents sont soumis par le biais du site Web du système informatisé d'enregistrement des travaux d'évaluation ou sur disque compact, les révisions peuvent être effectuées par courrier électronique ou par le biais du système informatisé d'enregistrement des travaux d'évaluation.

23. Si les documents sont soumis par le biais du site Web du système informatisé d'enregistrement des travaux d'évaluation ou sur disque compact et que la soumission ne peut pas être reçue au bureau que désigne le ministre en raison d'une panne du serveur du ministère du Développement du Nord et des Mines ou de l'autre matériel informatique du ministère ou du gouvernement, la personne qui soumet les documents doit les soumettre au plus tard à 16 h 30 à la date d'anniversaire conformément :

- a) soit à ce qu'exige le présent règlement à l'égard des soumissions sur papier;
- b) soit à ce qu'exigent les articles 10 et 11 du Règlement de l'Ontario 113/91 (Dispositions générales) pris en application de la Loi à l'égard des soumissions par fac-similé. Toutefois, l'exigence, prévue au paragraphe 10 (1) de ce règlement, voulant que l'envoi ne dépasse pas 11 pages ne s'applique pas.

5. Le présent règlement entre en vigueur 90 jours après son dépôt.

ONTARIO REGULATION 194/06

made under the

MINING ACT

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Amending O. Reg. 240/00

(Mine Development and Closure under Part VII of the Act)

Note: Ontario Regulation 240/00 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Paragraph 5 of subsection 3 (1) of Ontario Regulation 240/00 is revoked and the following substituted:

5. Surface stripping on mining lands where the surface area over which the surface stripping is carried out is greater than 10,000 square metres, or where the volume of surface stripping is greater than 10,000 cubic metres, except where all of the following are satisfied:
- i. Surface stripping is carried out in two or more separate areas on the mining lands.
 - ii. The edges of each area where surface stripping is carried out are separated by a minimum of 500 metres.
 - iii. In each area where surface stripping is carried out,
 - A. the surface area over which the surface stripping is carried out is not greater than 10,000 square metres, and
 - B. the volume of surface stripping is not greater than 10,000 cubic metres.

2. (1) Subsection 8 (1) of the Regulation is amended by striking out “and” at the end of clause (a), by adding “and” at the end of clause (b), and by adding the following clause:

- (c) by notifying directly the owners of the lands that are adjacent to the project of the public information session.

(2) Section 8 of the Regulation is amended by adding the following subsection:

(4) The proponent shall provide the Director with the names of the owners of lands adjacent to the project notified of the public information session.

3. Subsection 12 (4) of the Regulation is amended by adding the following clause:

- (a.1) provide a statement of the specific aspects of the closure plan with respect to which the certificate relates;

4. (1) The definition of “life of a mine” in subsection 15 (1) of the Regulation is revoked and the following substituted:

“life of a mine” means the projected length of time that a project will be in mine production, be processing mineral products resulting from mine production or the active placement of tailings;

(2) Subsection 15 (4) of the Regulation is amended by striking out the portion before clause (a) and substituting the following:

- (4) Subject to subsections (4.1) and (4.2), the life of a mine is calculated with reference to,

(3) Section 15 of the Regulation is amended by adding the following subsections:

(4.1) For those projects, located on their own site, that process mineral products resulting from mine production such as but not limited to refining, smelting or milling, the life of a mine is calculated with reference to total feed dedicated to the processing facility over the life of the contributing mines divided by the annual production schedule if,

- (a) at least two thirds of mined material supplied to the processing facility during the proponent’s fiscal year came from the proponent’s proportioned share of mined material from mines in which it has an ownership interest; and
- (b) at least one third of mined material supplied to the processing facility during the proponent’s fiscal year came from the proponent’s proportioned share of mined material from Ontario mines.

(4.2) For those projects that are located on their own site and consist of the active placement of tailings, the life of the mine is calculated with reference to total feed dedicated to the processing facility producing the tailings over the life of all the proponent’s contributing mines divided by the annual production schedule of the processing facility if,

- (a) at least two thirds of mined material supplied to the processing facility during the proponent's fiscal year came from the proponent's proportioned share of mined material from mines in which it has an ownership interest; and
- (b) at least one third of mined material supplied to the processing facility during the proponent's fiscal year came from the proponent's proportioned share of mined material from Ontario mines.

5. Paragraph 5 of subsection 24 (2) of the Regulation is amended by adding "waterlines" after "pipelines".

6. (1) Section 16 of Schedule 1 to the Regulation is amended by adding "ramps, declines or portals" after "adits".

(2) Clause 24 (a) of Schedule 1 to the Regulation is amended by striking out "1.25" and substituting "2.0".

(3) Section 26 of Schedule 1 to the Regulation is revoked and the following substituted:

26. If fencing is used, fences,

- (a) shall be constructed of at least #6 gauge chain-link galvanized material;
- (b) shall be secured against access at the bottom;
- (c) where no geotechnical study exists, shall be set back from the toe of the pit at least a distance equivalent to the pit depth so as to locate the fence beyond any area of potential pit instability; and
- (d) shall be used in conjunction with signs.

(4) Subsection 33 (2) of Schedule 1 to the Regulation is amended by adding "justified" before "documented".

(5) Section 33 of Schedule 1 to the Regulation is amended by adding the following subsection:

(3) If it is determined that the appropriate rehabilitation measures include the use of fencing, the fences shall be constructed in accordance with the requirements set out in section 26 of this Schedule.

(6) Subsection 34 (3) of Schedule 1 to the Regulation is amended by adding "justified" before "documented".

(7) Section 34 of Schedule 1 to the Regulation is amended by adding the following subsection:

(4) If it is determined that the appropriate rehabilitation measures include the use of fencing, the fences shall be constructed in accordance with the requirements set out in section 26 of this Schedule.

(8) Subsection 57 (2) of Schedule 1 to the Regulation is amended by striking out the portion before paragraph 1 and substituting the following:

(2) The sampling program shall be undertaken in accordance with both of the following documents by a person who is qualified in Ontario as a professional geoscientist or agrologist or as a qualified professional engineer in Ontario:

.

(9) Section 58 of Schedule 1 to the Regulation is revoked and the following substituted:

Testing and Interpretation

58. Testing of the materials sampled pursuant to section 57 of this Schedule and the interpretation of the data shall be conducted in accordance with the documents listed in subsection 57 (2), and shall be certified by a person who is qualified as a professional geoscientist or agrologist or as a professional engineer having geological and geochemical experience.

(10) Section 59 of Schedule 1 to the Regulation is amended by adding the following subsections:

(3) In order to meet the objectives of the closure plan, wet and dry covers for materials that have ML or ARD potential shall be designed and constructed in accordance with best engineering practices and be certified by a qualified professional engineer.

(4) Analytical models shall be used to predict the performance of wet and dry covers for the materials mentioned in subsection (3) and a monitoring program shall be put in place to test the results predicted by the analytical models used.

7. (1) Item 3 of Schedule 2 to the Regulation is amended by adding the following subclause in Column 2:

| Item | Column 1 | Column 2 |
|------|----------|--|
| | | (iv) plans and sections of proposed new underground development. |

(2) Item 9 of Schedule 2 to the Regulation is amended by adding "including reports of all studies conducted under sections 30, 31 and 32 of Schedule 1" at the end of subclause (iv) in Column 2.

(3) Item 14 of Schedule 2 to the Regulation is amended by adding "proposed" before "closure plan" at the end of subclause (i) in Column 2.

8. This Regulation comes into force 90 days after it is filed.

ONTARIO REGULATION 195/06

made under the

MINING ACT

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FORMS

1. (1) An application for a prospector's licence under subsection 19 (1) of the Act shall be in Form 0220.
- (2) Assessment work performed on mining lands under subsection 65 (2) of the Act, including exploration work referred to in subsection 66 (3) of the Act, shall be reported in Form 0241.
- (3) A notice of abandonment or partial abandonment under section 70 of the Act shall be in Form 0227.
- (4) An application to exchange a lease under subsection 83 (1) of the Act shall be in Form 0228.
- (5) An application for a lease of surface rights under subsection 84 (2) of the Act shall be in Form 0229.
- (6) A notice of project status under clause 140 (1) (a) or 141 (1) (a) or subsection 144 (1) shall be in Form 1.
- (7) A notice of material change under subsection 144 (2) of the Act shall be in Form 2.
- (8) A notice of an intention to retain an interest in surrendered mining lands under subsection 183 (2) shall be in Form 0230.
- (9) The forms are available on the Internet through the Ministry website at www.ndm.gov.on.ca.
2. (1) An application to record a staked mining claim under subsection 44 (1) of the Act shall be in Form 0223.
- (2) A transfer of an unpatented mining claim or any interest in an unpatented mining claim under section 59 of the Act shall be in Form 0239.
- (3) A dispute against a recorded claim under section 48 of the Act shall be in Form 0237.
- (4) A notice of restaking of transferred claim under subsection 48 (8.1) shall be in Form 0225.
- (5) A notice of intention to perform assessment work under section 78 of the Act shall be in Form 0242.
- (6) An application for determination of surface rights compensation under subsection 79 (4) shall be in Form 0253.
- (7) A notice of appeal under subsection 112 (3) shall be in Form 0252.
- (8) An inspection warrant under subsection 146 (5) of the Act shall be in Form 3.
- (9) A search warrant under subsection 146 (6) of the Act shall be in Form 4.
- (10) A notice to require a hearing under Part VII of the Act shall be in Form 5.
3. In section 2, when a form is referred to by number, the reference is to the form with that number that is described in the Table of Forms and that is available on the Internet through the Ministry website at www.ndm.gov.on.ca.

TABLE OF FORMS
(SEE SECTION 2 AND www.ndm.gov.on.ca)

| Form Number | Form Name | Date of Form |
|-------------|--|--------------|
| 0223 | Application to Record Staked Mining Claim(s) | April 2006 |
| 0239 | Transfer of Unpatented Mining Claim(s) | April 2006 |
| 0237 | Dispute against a Recorded Claim | April 2006 |
| 0225 | Notice of Restaking of Transferred Claim | April 2006 |
| 0242 | Notice of Intention to Perform Assessment Work | April 2006 |
| 0253 | Application for Determination of Surface Rights Compensation | April 2006 |
| 0252 | Notice of Appeal | April 2006 |
| 3 | Inspection Warrant | April 2006 |
| 4 | Search Warrant | April 2006 |
| 5 | Notice of Hearing under Part VII of the Act | April 2006 |

Revocation

4. Ontario Regulation 111/91 is revoked.

Commencement

5. This Regulation comes into force 90 days after it is filed.

RÈGLEMENT DE L'ONTARIO 195/06

pris en application de la

LOI SUR LES MINES

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FORMULES

1. (1) La demande de permis de prospecteur visée au paragraphe 19 (1) de la Loi est rédigée selon la formule 0220.
- (2) Le rapport sur les travaux d'évaluation exécutés sur des terrains miniers visés au paragraphe 65 (2) de la Loi, y compris les travaux d'exploration visés au paragraphe 66 (3) de la Loi, est rédigé selon la formule 0241.
- (3) L'avis d'abandon ou d'abandon partiel visé à l'article 70 de la Loi est rédigé selon la formule 0227.
- (4) La demande d'échange de bail visée au paragraphe 83 (1) de la Loi est rédigée selon la formule 0228.
- (5) La demande de bail des droits de surface visée au paragraphe 84 (2) de la Loi est rédigée selon la formule 0229.
- (6) L'avis d'état du projet visé à l'alinéa 140 (1) a) ou 141 (1) a) ou au paragraphe 144 (1) de la Loi est rédigé selon la formule 1.
- (7) L'avis de changements importants visé au paragraphe 144 (2) de la Loi est rédigé selon la formule 2.
- (8) L'avis d'intention de conserver un intérêt dans des terrains miniers rétrocédés aux termes du paragraphe 183 (2) de la Loi est rédigé selon la formule 0230.
- (9) Les formules sont disponibles sur le site Web sur Internet suivant du ministère : www.ndm.gov.on.ca.
2. (1) La demande d'enregistrement d'un claim jalonné visée au paragraphe 44 (1) de la Loi est rédigée selon la formule 0223.
- (2) La cession d'un claim non concédé par lettres patentes ou d'un intérêt dans un claim non concédé par lettres patentes visée à l'article 59 de la Loi est rédigée selon la formule 0239.
- (3) La contestation d'un claim enregistré visée à l'article 48 de la Loi est rédigée selon la formule 0237.
- (4) L'avis de nouveau jalonnement d'un claim qui a fait l'objet d'une cession visé au paragraphe 48 (8.1) de la Loi est rédigé selon la formule 0225.
- (5) L'avis d'intention d'exécuter des travaux d'évaluation visé à l'article 78 de la Loi est rédigé selon la formule 0242.
- (6) La requête en fixation de l'indemnité des droits de surface visée au paragraphe 79 (4) de la Loi est rédigée selon la formule 0253.
- (7) L'avis d'appel visé au paragraphe 112 (3) de la Loi est rédigé selon la formule 0252.
- (8) Le mandat d'inspection visé au paragraphe 146 (5) de la Loi est rédigé selon la formule 3.
- (9) Le mandat de perquisition visé au paragraphe 146 (6) de la Loi est rédigé selon la formule 4.
- (10) L'avis demandant la tenue d'une audience en vertu de la partie VII de la Loi est rédigé selon la formule 5.
3. À l'article 2, lorsqu'une formule est désignée par un numéro, il s'agit de la formule portant ce numéro qui est visée au tableau des formules et qui est disponible sur le site Web sur Internet suivant du ministère : www.ndm.gov.on.ca.

TABLEAU DES FORMULES
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Abrogation

4. Le Règlement de l'Ontario 111/91 est abrogé.

Entrée en vigueur

5. Le présent règlement entre en vigueur 90 jours après son dépôt.

21/06

ONTARIO REGULATION 196/06

made under the

MINING ACT

Made: May 3, 2006

Filed: May 10, 2006

Published on e-Laws: May 11, 2006

Printed in *The Ontario Gazette*: May 27, 2006

Amending O. Reg. 7/96
(Claim Staking)

Note: Ontario Regulation 7/96 has not previously been amended.

1. Section 5 of Ontario Regulation 7/96 is amended by adding the following subsection:

(17) If it appears that a township originally intended to be surveyed into sections of 260 hectares or into lots of 130, 80, 60 or 40 hectares, as mentioned in subsections (12) to (16), respectively, contains sections or lots that are not of the intended size, a person staking a mining claim in such a section or lot must stake the number of aliquot parts of a lot required for the particular size of lot into which the township was intended to be surveyed.

2. Subsection 8 (1) of the Regulation is revoked.

3. Subsection 9 (1) of the Regulation is revoked and the following substituted:

(1) A mining claim must be staked under the direction of a recording licensee.

(1.1) In order to direct the staking of a mining claim under subsection (1), the recording licensee must be present in each area under staking for a mining claim at the time the area is being staked for the purpose of recording the mining claim.

4. Section 21 of the Regulation is revoked.

5. (1) Subject to subsection (2), this Regulation comes into force on the day it is filed.

(2) Section 3 comes into force 90 days after this Regulation is filed.

RÈGLEMENT DE L'ONTARIO 196/06

pris en application de la

LOI SUR LES MINES

pris le 3 mai 2006

déposé le 10 mai 2006

publié sur le site Lois-en-ligne le 11 mai 2006

imprimé dans la *Gazette de l'Ontario* le 27 mai 2006

modifiant le Règl. de l'Ont. 7/96

(Jalonnement des claims)

Remarque : Le Règlement de l'Ontario 7/96 n'a pas été modifié antérieurement.

1. L'article 5 du Règlement de l'Ontario 7/96 est modifié par adjonction du paragraphe suivant :

(17) S'il semble qu'un canton qui devait au départ être arpenté en sections de 260 hectares ou en lots de 130, de 80, de 60 ou de 40 hectares, comme le prévoient les paragraphes (12) à (16), respectivement, contient des sections ou des lots qui n'ont pas les dimensions prévues, la personne qui jalonne un claim dans une telle section ou un tel lot jalonne le nombre de parties aliquotes d'un lot requis pour la dimension particulière du lot en lequel le canton devait être arpenté.

2. Le paragraphe 8 (1) du Règlement est abrogé.**3. Le paragraphe 9 (1) du Règlement est abrogé et remplacé par ce qui suit :**

(1) Le claim est jalonné sous la supervision du titulaire de permis qui demande l'enregistrement.

(1.1) Afin de superviser le jalonnement du claim aux termes du paragraphe (1), le titulaire de permis qui demande l'enregistrement doit être présent dans chaque secteur sujet au jalonnement d'un claim pendant que le jalonnement se déroule en vue d'enregistrer le claim.

4. L'article 21 du Règlement est abrogé.**5. (1) Sous réserve du paragraphe (2), le présent règlement entre en vigueur le jour de son dépôt.****(2) L'article 3 entre en vigueur 90 jours après le dépôt du présent règlement.**

21/06

ONTARIO REGULATION 197/06

made under the

ATHLETICS CONTROL ACT

Made: March 2, 2006

Approved: March 29, 2006

Filed: May 10, 2006

Published on e-Laws: May 11, 2006

Printed in *The Ontario Gazette*: May 27, 2006

Amending Reg. 52 of R.R.O. 1990

(General)

Note: Regulation 52 has previously been amended. Those amendments are listed in the [Table of Regulations - Legislative History Overview](#) which can be found at www.e-Laws.gov.on.ca.

1. Section 1 of Regulation 52 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:**1. In this Regulation and in the Act,**

“professional”, when used in respect of a participant or contestant in a professional contest or exhibition of boxing, means a natural person who at any time,

- (a) enters and competes in the contest or exhibition for a staked bet, private or public money or gate receipts or receives any consideration for his or her services as an athlete, except merchandise or an order for merchandise not exceeding \$35 in value or reasonable travelling and living expenses actually incurred while going to, remaining at and returning from the place of contest or exhibition,
- (b) teaches, pursues or assists in the pursuit of boxing as a means of livelihood,
- (c) sells or pledges any prize that he or she receives from the contest or exhibition, or
- (d) promotes or manages the contest or exhibition for personal gain;

“professional contest or exhibition”, when used in respect of a professional contest or exhibition of boxing, means a professional contest or exhibition in which,

- (a) the participants or contestants represent or are members of an athletic association, club, corporation, league, team or unincorporated organization that is composed of professionals or is ordinarily recognized as being composed of professionals, or
- (b) the participants or contestants are professionals.

2. (1) Subsection 3 (1) of the Regulation is amended by adding “of boxing” after “exhibition”.

(2) Subsection 3 (3) of the Regulation is amended by striking out “professional boxing or wrestling contest or exhibition” and substituting “professional contest or exhibition of boxing”.

3. Section 6 of the Regulation is revoked and the following substituted:

6. The following are established as weight classes in professional contests or exhibitions of boxing:

- 1. Up to and including 118 pounds, with no more than three pounds difference in weight between opponents.
- 2. From 119 pounds up to and including 130 pounds, with no more than four pounds difference in weight between opponents.
- 3. From 131 pounds up to and including 183 pounds, with no more than five pounds difference in weight between opponents.
- 4. From 184 pounds up to and including 200 pounds, with no more than 12 pounds difference in weight between opponents.
- 5. Over 201 pounds.

4. (1) Subsection 8 (5) of the Regulation is amended by striking out “in the jurisdiction in which he or she resides” and substituting “in another jurisdiction”.

(2) Subsection 8 (8) of the Regulation is amended by striking out “\$1,000,000” and substituting “\$2,000,000”.

(3) Subsections 8 (9) and (10) of the Regulation are revoked and the following substituted:

(9) The Commissioner shall not grant a licence to a person to take part in a professional contest or exhibition of boxing unless,

- (a) at the time of applying for the licence, the person provides to the Commissioner,
 - (i) the results of an electroencephalographic examination or other tests that are appropriate in accordance with current medical practice in Canada, dated within 90 days before the date on which the person submits the application to the Commissioner,
 - (ii) the results of an HIV, Hepatitis B and C test dated within 30 days before the date on which the person submits the application to the Commissioner, and
 - (iii) the results of an eye examination dated within 90 days before the date on which the person submits the application to the Commissioner; and
- (b) the Commissioner, in consultation with a legally qualified medical practitioner, finds that the person is fit to box, based on the results of the examinations and tests described in clause (a).

(10) The Commissioner shall not grant a permit to a person to take part in a professional contest or exhibition of boxing unless,

- (a) at the time of applying for the permit, the person provides to the Commissioner,
 - (i) the results of an electroencephalographic examination or other tests that are appropriate in accordance with current medical practice in Canada, dated within 30 days before the event for which the permit is issued,
 - (ii) the results of an HIV, Hepatitis B and C test dated within 30 days before the event for which the permit is issued, and
 - (iii) the results of an eye examination dated within 90 days before the event for which the permit is issued; and

- (b) the Commissioner, in consultation with a legally qualified medical practitioner, finds that the person is fit to box, based on the results of the examinations and tests described in clause (a).

(10.1) If the Commissioner, at any time, is of the opinion that a boxer who intends to take part in a professional contest or exhibition of boxing is unfit to box because of an injury that the boxer has received, the Commissioner may suspend the boxer's licence or permit to take part in the contest or exhibition until,

- (a) the boxer undergoes a medical examination that includes an electroencephalographic examination or other tests that are appropriate in accordance with current medical practice in Canada;
- (b) the boxer provides the results of the medical examination to the Commissioner; and
- (c) the Commissioner, in consultation with a legally qualified medical practitioner, finds that the boxer is fit to box, based on the results of the medical examination.

5. Subsection 16 (3) of the Regulation is revoked and the following substituted:

(3) A boxer who is overweight shall be allowed an hour to make the weight required by his or her contract but is prohibited from taking part in the professional contest or exhibition for which he or she is under contract if, during that hour, he or she loses more than two per cent of his or her weight as shown on the weigh-in.

6. The Regulation is amended by adding the following section:

17.1 (1) If a boxer is under contract to take part in a professional contest or exhibition of boxing, the boxer or promoter of the contest or exhibition shall, by the time specified in clause 11 (1) (b) or (c) as applicable, submit to the Commissioner evidence satisfactory to the Commissioner that there are no existing suspensions, prohibitions or other limits restricting or limiting the boxer from taking part in a professional contest or exhibition of boxing under any other jurisdiction.

(2) If the boxer mentioned in subsection (1) does not submit the evidence described in that subsection, the boxer shall not take part in the contest or exhibition.

7. Section 20 of the Regulation is revoked and the following substituted:

20. (1) If a boxer loses a bout by knock-out or by a technical knock-out or, in the opinion of the referee, ringside medical practitioner or Commissioner, may have suffered an injury during a bout in either a winning or losing cause, the ringside medical practitioner or Commissioner shall inform the boxer that the boxer shall,

- (a) attend at an examination by a legally qualified medical practitioner satisfactory to the Commissioner and undergo any tests that the practitioner orders; and
- (b) provide copies or reports of the results of the tests to the ringside medical practitioner or Commissioner.

(2) If the ringside medical practitioner or Commissioner, as the case may be, considers that the boxer may have suffered a blow to the head, the examination shall include, subject to an order made by the medical practitioner who performs the examination,

- (a) an electroencephalogram examination;
- (b) a computerized axial tomography examination, known as a Catscan;
- (c) magnetic resonance imaging, known as an MRI; or
- (d) other tests that are appropriate in accordance with current medical practice in Canada.

(3) If the Commissioner is of the opinion that the results of the testing described in subsections (1) and (2) are inconclusive, the Commissioner may order the boxer to undergo a psychometric evaluation by a legally qualified practitioner.

(4) If a boxer loses a bout by knock-out or by a technical knock-out or, in the opinion of the referee, ringside medical practitioner or Commissioner, may have suffered an injury during a bout in either a winning or losing cause, the Commissioner shall suspend the licence of the boxer until the later of,

- (a) the expiry of 60 days; and
- (b) the time at which the boxer provides, to the ringside medical practitioner or Commissioner who required the boxer to undergo the examination under subsection (1), a certificate of medical fitness to participate in a boxing event signed by the legally qualified medical practitioner who conducted the examination.

8. Part IV of the Regulation is revoked.

9. (1) Subject to subsection (2), this Regulation comes into force on the day it is filed.

(2) Sections 3 to 7 come into force on the 90th day after the day on which this Regulation is filed.

Made by:

GERRY PHILLIPS
Minister of Government Services

Date made: March 2, 2006.

21/06

NOTE: The Table of Regulations – Legislative History Overview and other tables related to regulations can be found at the e-Laws website (www.e-Laws.gov.on.ca) under Tables. Consolidated regulations may also be found at that site by clicking on Statutes and associated Regulations under Consolidated Law.

REMARQUE : On trouve le Sommaire de l'historique législatif des règlements et d'autres tables liées aux règlements sur le site Web Lois-en-ligne (www.lois-en-ligne.gouv.on.ca) en cliquant sur «Tables». On y trouve également les règlements codifiés en cliquant sur le lien Lois et règlements d'application sous la rubrique «Textes législatifs codifiés».

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2006—06—03

ONTARIO REGULATION 198/06

made under the

RETAIL SALES TAX ACT

Made: May 16, 2006
Filed: May 16, 2006
Published on e-Laws: May 17, 2006
Printed in *The Ontario Gazette*: June 3, 2006

Amending Reg. 1012 of R.R.O. 1990
(Definitions, Exemptions and Rebates)

Note: Regulation 1012 has previously been amended. Those amendments are listed in the Table of Regulations - Legislative History Overview which can be found at www.e-Laws.gov.on.ca

1. Subsection 24.4 (2) of Regulation 1012 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

(2) Despite subsection (1),

- (a) if, at the time it is registered under the *Highway Traffic Act* for use only in Ontario, the multijurisdictional vehicle is not more than 60 months old, the depreciated value of the multijurisdictional vehicle cannot be less than 40 per cent of the vehicle's taxable value, as defined in subsection 24 (1); and
- (b) if, at the time it is registered under the *Highway Traffic Act* for use only in Ontario, the multijurisdictional vehicle is more than 60 months old and has been owned for the previous 60 months or longer by the person who is liable to pay the tax, the depreciated value of the multijurisdictional vehicle cannot be less than the lesser of,
 - (i) 40 per cent of the vehicle's taxable value, as defined in subsection 24 (1), and
 - (ii) the current appraised value of the vehicle as established not more than 90 days after that time by a person who satisfies the requirements in subsection (2.1).

(2.1) For the purposes of subclause (2) (b) (ii), the person must be,

- (a) a person who is recognized by an insurer licensed under the *Insurance Act* to appraise motor vehicles; or
- (b) a new or used motor vehicle dealer licensed under the *Motor Vehicle Dealers Act* who sells at retail an average of at least 25 motor vehicles in a year.

Made by:

DWIGHT DOUGLAS DUNCAN
Minister of Finance

Date made: May 16, 2006.

22/06

ONTARIO REGULATION 199/06

made under the

RETAIL SALES TAX ACT

Made: May 16, 2006

Filed: May 16, 2006

Published on e-Laws: May 17, 2006

Printed in *The Ontario Gazette*: June 3, 2006

Amending Reg. 1012 of R.R.O. 1990

(Definitions, Exemptions and Rebates)

Note: Regulation 1012 has previously been amended. Those amendments are listed in the [Table of Regulations – Legislative History Overview](#) which can be found at www.e-Laws.gov.on.ca.

1. (1) The definition of “publications of a religious, charitable or benevolent organization” in subsection 1 (1) of Regulation 1012 of the Revised Regulations of Ontario, 1990 is revoked.

(2) Subsection 1 (3) of the Regulation is revoked and the following substituted:

(3) For the purposes of paragraph 44 of subsection 7 (1) of the Act, a publication is any form of medium, including any of the following forms of media, that contains material of an educational nature and is not purchased for commercial exhibition for profit:

1. Film.
2. Filmstrip.
3. Audio tape.
4. Audio disc.
5. Video tape.
6. Video disc.
7. Compact disc — read-only memory (CD-ROM) that contains information that is not primarily a computer program.
8. Digital video disc — read-only memory (DVD-ROM) that contains information that is not primarily a computer program.

(3) Paragraph 3 of subsection 1 (4) of the Regulation is revoked and the following substituted:

3. Equipment to play or show material described in subsection (3).

(4) Section 1 of the Regulation is amended by adding the following subsections:

(5) For the purposes of paragraph 55 of subsection 7 (1) of the Act, a publication is any of the following:

1. Instructional material in printed form or on any form of medium, including a form described in any of paragraphs 1 to 8 of subsection (3), that is purchased or produced by the religious, charitable or benevolent organization for its own use and not for resale.
2. Material in printed form or on any form of medium, including a form described in any of paragraphs 1 to 8 of subsection (3), that promotes the objects of a religious, charitable or benevolent organization and is not purchased or produced for commercial exhibition or profit.

(6) Despite subsection (5), directories, price lists, time tables, rate books, catalogues, stationery, forms and similar printed material are not publications for the purposes of paragraph 55 of subsection 7 (1) of the Act.

2. This Regulation shall be deemed to have come into force on May 12, 2005.

Made by:

DWIGHT DOUGLAS DUNCAN
Minister of Finance

Date made: May 16, 2006.

ONTARIO REGULATION 200/06

made under the

PLANNING ACT

Made: May 8, 2006

Filed: May 17, 2006

Published on e-Laws: May 19, 2006

Printed in *The Ontario Gazette*: June 3, 2006

ZONING AREA — HALDIMAND COUNTY

Application

1. This Order applies to land in Haldimand County being part of Lot 17 Broken Front Concession on the Grand River designated as Part 1 on Reference Plan 18R-6249 and part of Lot 18 Broken Front Concession on the Grand River and parts of Lots B and C Range West of Plank Road (Geographic Township of Oneida) designated as parts 1, 2 and 3 on Reference Plan 18R-6217 deposited in the Land Registry Office for the Land Titles Division of Haldimand (No. 18).

Use of land

2. (1) Every use of land and the erection, location and use of any building or structure is prohibited on land described in section 1.

(2) Additions to any building or structure or the extension or enlargement of any building or structure is prohibited.

Condition

3. Every use of land and every erection, location and use of buildings or structures shall be in accordance with this Order.

Made by:

JOHN PHILIP GERRETSEN
Minister of Municipal Affairs and Housing

Date made: May 8, 2006.

22/06

ONTARIO REGULATION 201/06

made under the

HEALTH PROTECTION AND PROMOTION ACT

Made: May 17, 2006

Filed: May 19, 2006

Published on e-Laws: May 23, 2006

Printed in *The Ontario Gazette*: June 3, 2006

Amending Reg. 559 of R.R.O. 1990
(Designation of Municipal Members of Boards of Health)

Note: Regulation 559 has previously been amended. Those amendments are listed in the [Table of Regulations - Legislative History Overview](#) which can be found at www.e-Laws.gov.on.ca.

1. (1) Paragraph 5 of section 16 of Regulation 559 of the Revised Regulations of Ontario, 1990 is amended by striking out "McKellar".

(2) Paragraph 6 of section 16 of the Regulation is amended by striking out "Carling and Seguin" and substituting "Carling, McKellar and Seguin".

22/06

ONTARIO REGULATION 202/06

made under the

ONTARIO DRUG BENEFIT ACT

Made: May 17, 2006

Filed: May 19, 2006

Published on e-Laws: May 23, 2006

Printed in *The Ontario Gazette*: June 3, 2006Amending O. Reg. 201/96
(General)

Note: Ontario Regulation 201/96 has previously been amended. Those amendments are listed in the Table of Regulations - Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. The definition of "Formulary" in subsection 1 (1) of Ontario Regulation 201/96 is amended by adding the following paragraph:

3. Amendments dated June 15, 2006;

2. This Regulation comes into force on June 15, 2006.

22/06

ONTARIO REGULATION 203/06

made under the

DRUG INTERCHANGEABILITY AND DISPENSING FEE ACT

Made: May 17, 2006

Filed: May 19, 2006

Published on e-Laws: May 23, 2006

Printed in *The Ontario Gazette*: June 3, 2006Amending Reg. 935 of R.R.O. 1990
(General)

Note: Regulation 935 has previously been amended. Those amendments are listed in the Table of Regulations - Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. The definition of "Formulary" in subsection 1 (1) of Regulation 935 of the Revised Regulations of Ontario, 1990 is amended by adding the following paragraph:

3. Amendments dated June 15, 2006;

2. This Regulation comes into force on June 15, 2006.

22/06

ONTARIO REGULATION 204/06

made under the

PUBLIC HOSPITALS ACT

Made: May 2, 2006
Approved: May 17, 2006
Filed: May 19, 2006
Published on e-Laws: May 23, 2006
Printed in *The Ontario Gazette*: June 3, 2006

Amending Reg. 965 of R.R.O. 1990
(Hospital Management)

Note: Regulation 965 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Regulation 965 of the Revised Regulations of Ontario, 1990 is amended by adding the following French version:

GESTION HOSPITALIÈRE

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INTERPRÉTATION

1. (1) Les définitions qui suivent s'appliquent au présent règlement.

«admis» Admis et hébergé dans un hôpital. Est exclu de la présente définition le fait d'être inscrit comme malade externe. («admitted»)

«authentifier» S'identifier comme l'auteur d'un document ou d'un dossier en apposant sa signature ou en utilisant tout autre moyen autorisé par le conseil. («authenticate»)

«chef de direction des soins infirmiers» Infirmière principale ou infirmier principal employé par l'hôpital qui relève directement du directeur général et qui a la charge des services infirmiers qui y sont fournis. («chief nursing executive»)

«chirurgien» Membre du personnel médical ou du personnel dentaire qui pratique une intervention chirurgicale sur un malade à l'hôpital. («surgeon»)

- «chirurgien buccal et maxillo-facial» Dentiste titulaire d'un certificat de spécialiste, délivré par l'Ordre royal des chirurgiens dentistes de l'Ontario, qui l'autorise à exercer la chirurgie buccale et maxillo-faciale. («oral and maxillofacial surgeon»)
- «décès néonatal» Décès d'un enfant survenu avant la fin de la 672^e heure suivant sa naissance. («neonatal death»)
- «dentiste» Membre de l'Ordre royal des chirurgiens dentistes de l'Ontario. («dentist»)
- «dentiste traitant» Membre du personnel dentaire qui traite un malade à l'hôpital. («attending dentist»)
- «dossiers de renseignements personnels sur la santé» Relativement à un malade, s'entend notamment du dossier médical du malade ainsi que des notes, feuilles d'observation et autres pièces concernant les soins aux malades. («records of personal health information»)
- «écrit» S'entend en outre d'une entrée dans un ordinateur. («writing»)
- «infirmière autorisée de la catégorie supérieure, infirmier autorisé de la catégorie supérieure» Membre de l'Ordre des infirmières et infirmiers de l'Ontario qui est infirmière autorisée ou infirmier autorisé et qui est titulaire d'un certificat d'inscription supérieur délivré aux termes de la *Loi de 1991 sur les infirmières et infirmiers*. («registered nurse in the extended class»)
- «infirmière autorisée traitante de la catégorie supérieure, infirmier autorisé traitant de la catégorie supérieure» Infirmière autorisée de la catégorie supérieure ou infirmier autorisé de la catégorie supérieure qui traite un malade externe à l'hôpital. («attending registered nurse in the extended class»)
- «infirmière, infirmier» Membre de l'Ordre des infirmières et infirmiers de l'Ontario qui est infirmière autorisée ou infirmier autorisé. («nurse»)
- «médecin traitant» Membre du personnel médical qui traite un malade à l'hôpital. («attending physician»)
- «mortinaissance» Mortinaissance au sens de la *Loi sur les statistiques de l'état civil*. («still-birth»)
- «naissance» Expulsion ou extraction complète, du corps de la mère, d'un fœtus qui, après cette expulsion ou extraction, respirait ou donnait un autre signe de vie, que le cordon ombilical ait été coupé ou non, ou que le placenta soit resté attaché ou non. («birth»)
- «personnel dentaire» S'entend des personnes suivantes :
- a) les chirurgiens buccaux et maxillo-faciaux auxquels le conseil a accordé le droit de poser des diagnostics, de prescrire des ordonnances ou de traiter des malades à l'hôpital;
 - b) les dentistes auxquels le conseil a accordé le droit de traiter des malades à l'hôpital en collaboration avec un membre du personnel médical. («dental staff»)
- «personnel infirmier de la catégorie supérieure» Ensemble des infirmières autorisées de la catégorie supérieure et des infirmiers autorisés de la catégorie supérieure d'un hôpital qui :
- a) sont employés par l'hôpital et autorisés à poser des diagnostics, à prescrire des ordonnances ou à traiter des malades externes à l'hôpital;
 - b) ne sont pas employés par l'hôpital, mais auxquels le conseil a accordé le droit de poser des diagnostics, de prescrire des ordonnances ou de traiter des malades externes à l'hôpital. («extended class nursing staff»)
- «personnel médical» Ensemble des médecins auxquels le conseil a accordé le droit de poser des diagnostics, de prescrire des ordonnances ou de traiter des malades à l'hôpital. («medical staff»)
- «personnel obstétrical» Ensemble des sages-femmes auxquelles le conseil a accordé le droit de procéder à des évaluations, d'exercer une surveillance, de prescrire des ordonnances ou de traiter des malades à l'hôpital. («midwifery staff»)
- «photographie» Reproduction obtenue par un procédé quelconque permettant de produire une copie exacte de l'original, que la copie soit ou non de même dimension que l'original. («photograph»)
- «sage-femme» Membre de l'Ordre des sages-femmes de l'Ontario. («midwife»)
- «sage-femme traitante» Membre du personnel obstétrical qui traite une malade à l'hôpital. («attending midwife»)
- (2) Pour l'application du présent règlement, la mention d'un malade vaut également mention d'un malade externe, sauf indication contraire du contexte.

CONSEIL

2. (1) Chaque hôpital est dirigé et géré par un conseil.

(2) Sont membres du conseil, au même titre que les membres du conseil nommés ou élus conformément à l'acte constitutif de l'hôpital, les personnes suivantes :

- a) le directeur médical;
- b) le médecin-chef de l'hôpital ou, en l'absence de médecin-chef, le président du comité médical consultatif;

- c) dans un hôpital du groupe A ou du groupe B, le directeur médical adjoint.
- (3) Le conseil fait ce qui suit :
- a) il surveille les activités de l'hôpital pour s'assurer de leur conformité avec la Loi, les règlements et les règlements administratifs de l'hôpital;
 - b) il prend les mesures qu'il estime nécessaires pour s'assurer du respect des dispositions de la Loi, des règlements et des règlements administratifs de l'hôpital;
 - c) dans le cas d'un hôpital dont les règlements administratifs prévoient la création d'un poste de médecin-chef, il nomme le médecin-chef au poste de président du comité médical consultatif;
 - d) dans le cas d'un hôpital dont les règlements administratifs ne prévoient pas la création d'un poste de médecin-chef, il nomme un membre du comité médical consultatif au poste de président de ce comité;
 - d.1) dans le cas d'un hôpital dont les règlements administratifs prévoient la constitution d'un comité infirmier consultatif, il nomme le chef de direction des soins infirmiers au poste de président de ce comité;
 - e) il s'assure que le directeur général, le personnel médical, le chef de direction des soins infirmiers, les infirmières et infirmiers de chevet et les infirmières et infirmiers gestionnaires élaborent des plans pour faire face :
 - (i) d'une part, aux situations d'urgence qui pourraient faire augmenter la demande habituelle de services fournis par l'hôpital ou perturber la routine de travail à l'hôpital,
 - (ii) d'autre part, aux situations où des personnes ne fournissent pas les services qu'elles devraient normalement fournir à l'hôpital.

RESPONSABILITÉ DU DIRECTEUR GÉNÉRAL

3. Le directeur général répond, devant le conseil de l'hôpital dont il a la responsabilité, de la prise de toute mesure qu'il estime nécessaire pour s'assurer du respect de la Loi, des règlements et des règlements administratifs de l'hôpital.

RÈGLEMENTS ADMINISTRATIFS

4. (1) Le conseil adopte des règlements administratifs sur ce qui suit :
- a) la gestion et l'administration de l'hôpital, où sont au moins prévus les éléments suivants :
 - (i) la procédure d'élection ou de nomination des membres du conseil,
 - (ii) les différents postes de dirigeants du conseil ainsi que les fonctions et les responsabilités inhérentes à ces postes,
 - (iii) les différents comités du conseil, le cas échéant, ainsi que leur composition, leurs fonctions et leurs responsabilités,
 - (iv) la procédure relative au déroulement des réunions du conseil et de ses comités,
 - (v) la procédure de nomination d'un directeur général par le conseil,
 - (vi) les fonctions et responsabilités du directeur général,
 - (vii) la procédure de nomination d'un vérificateur qui est titulaire d'un permis délivré en vertu de la *Loi sur la comptabilité publique*,
 - (viii) la procédure de nomination, par le directeur général, d'une infirmière ou d'un infirmier au poste de chef de direction des soins infirmiers de l'hôpital,
 - (ix) les fonctions et responsabilités du chef de direction des soins infirmiers;
 - b) l'organisation du personnel médical et ses fonctions, où sont au moins prévus :
 - (i) les critères applicables à la nomination et au renouvellement de nomination des membres du personnel médical,
 - (ii) les différents groupes et services médicaux auxquels appartient le personnel médical,
 - (iii) la procédure relative à l'élection annuelle d'un directeur, d'un directeur adjoint et d'un secrétaire du personnel médical, ainsi qu'à l'élection ou à la nomination de tout autre dirigeant du personnel médical,
 - (iv) la procédure de nomination, s'il y a lieu, d'un médecin-chef et de chefs de service par le conseil,
 - (v) les fonctions du directeur, du directeur adjoint, du secrétaire et de tout autre dirigeant du personnel médical,
 - (vi) la constitution d'un ou de plusieurs comités du personnel médical ainsi que leurs pouvoirs et fonctions en matière d'examen des titres et d'évaluation des dossiers médicaux, des soins aux malades, du contrôle des infections, de l'utilisation des installations de l'hôpital et des autres aspects des soins et traitements médicaux qui y sont fournis,

- (vii) l'élection ou la nomination des membres du comité médical consultatif;
- b.1) dans le cas d'un hôpital dont les règlements administratifs prévoient la constitution d'un comité infirmier consultatif, l'élection ou la nomination des membres de ce comité et les fonctions de celui-ci;
- c) si l'hôpital est doté d'un personnel dentaire, d'un personnel obstétrical ou d'un personnel infirmier de la catégorie supérieure, l'organisation du personnel en question et ses fonctions ainsi que les critères relatifs à la nomination et au renouvellement de nomination de ses membres;
- c.1)
- d) la création et le fonctionnement d'un programme de santé et de sécurité au travail pour l'hôpital dans le cadre duquel est prévu une procédure relative à ce qui suit :
 - (i) la garantie d'un lieu de travail sécuritaire et salubre à l'hôpital,
 - (ii) l'utilisation sécuritaire des substances, de l'équipement et du matériel médicaux à l'hôpital,
 - (iii) le recours à des pratiques de travail sécuritaires et salubres à l'hôpital,
 - (iv) la prévention des accidents causant des blessures sur les lieux de l'hôpital,
 - (v) l'élimination des risques inutiles et la diminution des dangers inhérents au milieu hospitalier;
- e) la création et le fonctionnement d'un programme de surveillance médicale dans le cadre duquel est prévu un programme de surveillance des maladies transmissibles visant toutes les personnes exerçant des activités à l'hôpital;
- f) la participation :
 - (i) du chef de direction des soins infirmiers, des infirmières et infirmiers gestionnaires et des infirmières et infirmiers de chevet au processus décisionnel en matière d'administration, de financement, de fonctionnement et de planification à l'hôpital,
 - (ii) du chef de direction des soins infirmiers, des infirmières et infirmiers de chevet et des infirmières et infirmiers gestionnaires aux activités des comités, y compris l'élection de représentants aux comités par les infirmières et infirmiers de chevet et l'élection ou la nomination d'infirmières et d'infirmiers gestionnaires aux comités;
- g) l'établissement d'une procédure visant à encourager les dons d'organes et de tissus en vue, notamment :
 - (i) d'identifier des donneurs éventuels,
 - (ii) d'informer les donneurs éventuels et leur famille de la possibilité de faire de tels dons.

(2) Le programme visé à l'alinéa (1) e) comprend, dans le cas d'une maladie transmissible particulière, les tests et les examens énoncés dans tout protocole de surveillance des maladies transmissibles pertinent, publié conjointement par l'Association des hôpitaux de l'Ontario et l'Ontario Medical Association relativement à cette maladie et approuvé par le ministre.

COMITÉ BUDGÉTAIRE CONSULTATIF

5. (1) Le conseil constitue un comité budgétaire consultatif où siègent :
- a) le directeur général;
 - b) dans le cas d'un hôpital doté d'un personnel dentaire, une seule personne représentant et le personnel médical et le personnel dentaire;
 - c) dans le cas d'un hôpital sans personnel dentaire, une personne représentant le personnel médical;
 - d) le chef de direction des soins infirmiers ou une autre personne représentant les infirmières et infirmiers gestionnaires;
 - e) une personne représentant les infirmières et infirmiers de chevet;
 - f) toute autre personne élue ou nommée conformément aux règlements administratifs de l'hôpital.
- (2) Le comité budgétaire consultatif fait des recommandations au conseil concernant le fonctionnement et l'utilisation de l'hôpital, ainsi que la dotation en personnel.
- (3) Le directeur général, ou une personne qu'il désigne, assure la présidence du comité budgétaire consultatif.

PERSONNEL MÉDICAL

6. (1) Le personnel médical tient au moins quatre réunions au cours de chaque exercice de l'hôpital, dont l'une constitue l'assemblée annuelle.
- (2) Le conseil fixe la date, l'heure et le lieu de la première réunion du personnel médical.
- (3) À la première réunion du personnel médical et à chaque assemblée annuelle suivante, le personnel médical :

a) d'une part, fixe la date, l'heure et le lieu :

(i) de l'assemblée annuelle suivante,

(ii) des réunions du personnel médical qui doivent être tenues avant l'assemblée annuelle suivante;

b) d'autre part, élit parmi ses membres un directeur, un directeur adjoint et un secrétaire.

COMITÉ MÉDICAL CONSULTATIF

7. (1) Les personnes suivantes siègent au comité médical consultatif de chaque hôpital :

a) le directeur, le directeur adjoint et le secrétaire du personnel médical, le médecin-chef, le cas échéant, et, dans le cas d'un hôpital du groupe A, le dentiste-chef, le cas échéant;

b) les autres membres du personnel médical qui sont élus ou nommés conformément aux règlements administratifs de l'hôpital.

(2) Outre les questions énoncées aux paragraphes 34 (7) et 35 (2) et à l'article 37 de la Loi, le comité médical consultatif fait ce qui suit :

a) il fait des recommandations au conseil concernant ce qui suit :

(i) toute demande de nomination ou de renouvellement de nomination comme membre du personnel dentaire, du personnel obstétrical ou du personnel infirmier de la catégorie supérieure de l'hôpital, le cas échéant,

(ii) les droits devant être accordés à chaque membre du personnel dentaire, du personnel obstétrical ou du personnel infirmier de la catégorie supérieure de l'hôpital, le cas échéant,

(iii) les règlements administratifs relatifs au personnel médical et, le cas échéant, au personnel dentaire, au personnel obstétrical ou au personnel infirmier de la catégorie supérieure de l'hôpital,

(iv) le renvoi ou la suspension d'un membre du personnel médical et, le cas échéant, d'un membre du personnel dentaire, du personnel obstétrical ou du personnel infirmier de la catégorie supérieure de l'hôpital, ou la restriction de leurs droits,

(v) la qualité des soins fournis à l'hôpital par le personnel médical, le personnel dentaire, le personnel obstétrical et le personnel infirmier de la catégorie supérieure,

(vi)

(vii) les règles de nature clinique et les règles générales applicables au personnel médical, au personnel dentaire, au personnel obstétrical et au personnel infirmier de la catégorie supérieure, selon ce qui peut être nécessaire dans les circonstances;

b) il supervise l'exercice de la médecine, de la dentisterie, de la profession de sage-femme et de la profession d'infirmière de la catégorie supérieure ou d'infirmier de la catégorie supérieure à l'hôpital;

c) il nomme les membres du personnel médical siégeant à chacun des comités du personnel médical qui sont constitués par le conseil;

d) il reçoit des rapports préparés par les comités du personnel médical;

e) il donne son avis au conseil sur les questions que celui-ci lui soumet.

(2.1) Malgré les sous-alinéas (2) a) (i), (ii) et (iv), les fonctions du comité médical consultatif qui y sont mentionnées et qui ont trait au personnel infirmier de la catégorie supérieure d'un hôpital ne doivent être exercées qu'à l'égard des membres de ce personnel qui ne sont pas des employés de l'hôpital et auxquels le conseil a accordé le droit de poser des diagnostics, de prescrire des ordonnances ou de traiter des malades externes à l'hôpital.

(3) Le comité médical consultatif tient au moins 10 réunions mensuelles au cours de chaque exercice de l'hôpital.

(4) Le comité médical consultatif présente un rapport au personnel médical à toutes les réunions ordinaires que tient celui-ci.

(5) Le comité médical consultatif présente au conseil, à toutes les réunions ordinaires que tient celui-ci, un rapport écrit sur l'exercice de la médecine à l'hôpital.

(6) À la demande du comité mixte sur la santé et la sécurité au travail créé en vertu de la *Loi sur la santé et la sécurité au travail*, le comité médical consultatif nomme un ou plusieurs membres du personnel médical comme conseillers de ce comité.

COMITÉ INFIRMIER CONSULTATIF

7.1 (1) Les personnes suivantes siègent au comité infirmier consultatif, si les règlements administratifs d'un hôpital prévoient la constitution d'un tel comité :

- a) le chef de direction des soins infirmiers;
 - b) les autres membres du personnel infirmier qui ont été élus ou nommés conformément aux règlements administratifs de l'hôpital.
- (2) La définition qui suit s'applique au paragraphe (1).

«personnel infirmier» Relativement à un hôpital, s'entend des infirmières et des infirmiers employés ou engagés par ailleurs par l'hôpital pour y fournir des services ainsi que de tous les membres du personnel infirmier de la catégorie supérieure de l'hôpital. S'entend notamment des infirmières et infirmiers gestionnaires et du chef de direction des soins infirmiers de l'hôpital.

- (3) Le comité infirmier consultatif exerce les fonctions établies par règlement administratif.

EXERCICE ET ASSEMBLÉE ANNUELLE

- 8. L'exercice de l'hôpital se termine le 31 mars de chaque année.
- 9. L'hôpital tient une assemblée annuelle entre le 1^{er} avril et le 31 juillet d'une année, à la date que fixe le conseil.

INSPECTEURS

10. (1) Un inspecteur peut pénétrer sans mandat dans un hôpital afin de procéder à une inspection pour s'assurer du respect des dispositions de la Loi et du présent règlement.

- (2) Lorsqu'il procède à une inspection en vertu du présent article, l'inspecteur :

- a) a le droit, à toute heure raisonnable, de consulter en toute liberté tous les livres de comptes, documents et comptes bancaires, toutes les pièces justificatives, tout le courrier et tous les dossiers, y compris les livres de paie, les registres des présences, les dossiers de renseignements personnels sur la santé et tous les autres dossiers qui se rapportent à l'objet de son inspection ou dont la Loi ou le présent règlement exige la conservation;
- b) peut, après avoir donné un récépissé à cet effet et présenté la désignation délivrée par le ministre, emporter les pièces visées à l'alinéa a) qui se rapportent à l'objet de son inspection afin d'en faire une copie, à condition de faire les copies dans un délai raisonnable et de retourner les pièces promptement à la personne qui en avait la possession lorsqu'elles ont été emportées;
- c) peut examiner ou tester des échantillons de substances pour s'assurer du respect des règlements;
- d) peut, après avoir donné un récépissé à cet effet et présenté la désignation délivrée par le ministre, emporter la substance visée à l'alinéa c), ou un échantillon de celle-ci, afin d'effectuer d'autres tests à des fins raisonnablement nécessaires pour assurer l'application efficace de la Loi et du présent règlement.

(3) L'alinéa (2) b) ne s'applique pas lorsqu'une copie peut être faite à l'hôpital même, à moins que l'inspecteur n'ait des motifs de croire que les pièces ne peuvent être copiées dans un délai raisonnable ou qu'elles risquent d'être modifiées.

(4) Nul ne doit entraver l'inspecteur ni retenir, détruire, dissimuler ou refuser de fournir des renseignements ou objets dont il a besoin aux fins de l'inspection.

ADMISSION À L'HÔPITAL

11. (1) Nul ne doit être admis à l'hôpital comme malade, sauf, selon le cas :

- a) sur l'ordre ou avec l'autorisation d'un médecin qui est membre du personnel médical;
- b) sur l'ordre ou avec l'autorisation d'un chirurgien buccal et maxillo-facial qui est membre du personnel dentaire;
- b.1) dans le cas d'une personne admise aux fins de traitement par un dentiste qui est membre du personnel dentaire, sauf un chirurgien buccal et maxillo-facial, sur l'ordre conjoint du dentiste et d'un médecin qui est membre du personnel médical;
- c) sur l'ordre ou avec l'autorisation d'une sage-femme qui est membre du personnel obstétrical.

(2) Un médecin, un dentiste ou une sage-femme ne doit ordonner l'admission d'une personne à l'hôpital que s'il ou elle est d'avis que cette mesure est nécessaire sur le plan clinique.

- (3) Nul ne doit être inscrit à l'hôpital comme malade externe, sauf, selon le cas :

- a) sur l'ordre ou avec l'autorisation d'un membre du personnel médical, du personnel obstétrical ou du personnel infirmier de la catégorie supérieure;
- b) sur l'ordre ou avec l'autorisation d'un membre du personnel dentaire qui est un chirurgien buccal et maxillo-facial;
- b.1) dans le cas d'une personne qui est un malade externe à la seule fin d'être reçue à la clinique dentaire de l'hôpital, sur l'ordre ou avec l'autorisation d'un membre du personnel dentaire;
- c)

NUMERO D'INSCRIPTION

12. (1) Le directeur général s'assure que les malades admis à l'hôpital reçoivent un numéro d'inscription.
- (2) Pour l'application du paragraphe (1), l'enfant né vivant à l'hôpital est réputé un malade admis à l'hôpital au moment de sa naissance.
- (3) Un numéro d'inscription est délivré aux malades de la façon suivante :
- a) en attribuant le numéro «1» au premier malade admis pendant l'exercice et en attribuant les numéros suivants par ordre d'admission;
 - b) en ajoutant, après le numéro attribué conformément à l'alinéa a), une barre oblique suivie des deux derniers chiffres de l'année de délivrance du numéro.
- (4) Le malade conserve le même numéro d'inscription jusqu'à ce qu'il reçoive son congé de l'hôpital.

NUMÉRO D'IDENTIFICATION

13. (1) Le directeur général s'assure que les pièces du dossier de renseignements personnels sur la santé de chaque malade et tous les autres renseignements sur la santé qu'a l'hôpital sur celui-ci portent un numéro d'identification propre au malade.
- (2) Pour l'application du paragraphe (1), le numéro d'inscription délivré à un malade aux termes de l'article 12 peut servir de numéro d'identification à l'égard des renseignements sur la santé se rapportant à l'admission pour laquelle le numéro d'inscription a été délivré.
- (3) Si l'hôpital n'utilise pas les numéros d'inscription comme numéros d'identification, le directeur général s'assure que les renseignements sur la santé se rapportant à chaque admission d'un malade peuvent être identifiés d'une autre façon.

MALADE DANGEREUX OU CONTAGIEUX

14. (1) Si le médecin, le chirurgien buccal et maxillo-facial ou la sage-femme qui donne l'ordre d'admettre une personne à l'hôpital sait ou soupçonne que cette personne présente ou peut présenter un danger pour elle-même ou pour d'autres personnes, il ou elle en avise sans délai le directeur général.
- (2) Si le médecin traitant, le dentiste traitant, la sage-femme traitante ou l'infirmière autorisée traitante de la catégorie supérieure ou l'infirmier autorisé traitant de la catégorie supérieure sait ou soupçonne que son ou sa malade souffre d'une maladie ou affection contagieuse, il ou elle en avise sans délai le directeur général et soit un agent, soit une infirmière ou un infirmier de la prévention des infections.

15. Le conseil s'assure que l'hôpital prend les mesures nécessaires dans les circonstances pour isoler le malade.

MISE EN CONGÉ D'UN MALADE DE L'HÔPITAL

16. (1) Si un malade n'a plus besoin de traitement à l'hôpital, une des personnes suivantes donne l'ordre de mise en congé du malade et le lui communique :
- 1. Le médecin traitant ou la sage-femme traitante ou, si celui-ci est un chirurgien buccal et maxillo-facial, le dentiste traitant.
 - 2. Un membre du personnel médical, du personnel dental ou du personnel obstétrical désigné par une personne visée à la disposition 1.
- (2) Lorsqu'un ordre de mise en congé a été donné, l'hôpital donne congé au malade et celui-ci quitte l'hôpital à la date qu'indique l'ordre.
- (3) Malgré le paragraphe (2), le directeur général peut donner la permission au malade de demeurer à l'hôpital pour une période ne dépassant pas 24 heures après la date qu'indique l'ordre de mise en congé.

RAPPORT DE DÉCÈS

17. (1) En cas de décès d'un malade à l'hôpital, le médecin traitant fait verser à son dossier médical une copie du certificat médical de décès qu'exige le paragraphe 21 (3) de la *Loi sur les statistiques de l'état civil*.
- (2) Lorsque, aux termes du paragraphe 21 (4) de la *Loi sur les statistiques de l'état civil*, un coroner doit remplir le certificat médical de décès, mais qu'il n'en fournit pas une copie au médecin traitant, ce dernier remplit un rapport rédigé selon la formule 1 et en fait verser une copie au dossier médical du malade.
- (3)
- (4)

MÉDECINS OU DENTISTES NON EN MESURE D'EXERCER LEURS FONCTIONS

18. (1) Lorsqu'un membre du personnel médical, du personnel dentaire, du personnel obstétrical ou du personnel infirmier de la catégorie supérieure n'est pas en mesure, pour une raison quelconque, d'exercer ses fonctions professionnelles

relativement à un malade à l'hôpital, il se fait remplacer dans ses fonctions par un autre membre du personnel médical, du personnel dentaire, du personnel obstétrical ou du personnel infirmier de la catégorie supérieure, selon le cas.

(2) Lorsqu'une personne n'est pas en mesure d'exercer ses fonctions comme le prévoit le paragraphe (1), elle indique dans le dossier médical du malade le nom de la personne qui la remplace dans ses fonctions, le cas échéant.

(3) Lorsque le directeur général croit qu'un membre du personnel médical, du personnel dentaire, du personnel obstétrical ou du personnel infirmier de la catégorie supérieure n'est pas en mesure d'exercer ses fonctions professionnelles relativement à un malade à l'hôpital, il en avise les personnes suivantes :

- a) le médecin-chef ou le président du comité médical consultatif;
- b) le directeur ou le secrétaire du personnel médical, dans le cas d'un membre du personnel médical;
- c) le chef de direction des soins infirmiers, dans le cas d'un membre du personnel infirmier de la catégorie supérieure.

DOSSIERS DE RENSEIGNEMENTS PERSONNELS SUR LA SANTÉ

19. (1) Le directeur général s'assure de la mise sur pied d'un système de tenue des dossiers de renseignements personnels sur la santé de tous les malades.

(2) Chaque entrée dans un dossier médical porte la date à laquelle elle est faite et est authentifiée par la personne qui l'a autorisée.

(3) Le paragraphe (2) s'applique à chaque entrée figurant dans un document qui contient plusieurs entrées autorisées par plus d'une personne.

(4) Le dossier médical d'un malade, à l'exception de celui d'un malade externe, contient notamment les renseignements suivants :

- a) le nom des médecins traitants, des dentistes traitants ou des sages-femmes traitantes du malade;
- b) les antécédents du malade;
- c) les renseignements sur tous les examens médicaux, dentaires et obstétricaux subis par le malade à l'hôpital;
- d) les dossiers d'imagerie diagnostique du malade, y compris les enregistrements au magnétoscope de tous les examens ou tests subis si ceux-ci constituent la seule preuve documentaire disponible des examens ou des tests;
- e)
- f) les diagnostics provisoires et définitifs posés à l'égard du malade;
- g) les ordres sur les traitements à fournir au malade à l'hôpital, ou sur les examens à lui faire subir;
- h) les renseignements sur tous les traitements médicaux, dentaires et obstétricaux pratiqués sur le malade à l'hôpital;
- i) les consentements au traitement obtenus par écrit à l'égard du malade;
- i.1) les déclarations visées au paragraphe 28 (4) à l'égard du malade;
- i.2) les avis que le paragraphe 25 (5) de la *Loi de 1996 sur le consentement aux soins de santé* exige de consigner à l'égard du malade;
- j) les observations sur les progrès du malade;
- j.1) les résultats des examens ou des tests d'imagerie diagnostique;
- k) les rapports rédigés par le médecin, le dentiste ou la sage-femme à l'égard du malade concernant :
 - (i) les consultations,
 - (ii) les procédés d'examen,
 - (iii) les interventions, les anesthésies et la récupération,
 - (iv) les résultats des examens ou des tests d'imagerie diagnostique,
 - (v) l'autopsie, le cas échéant, en cas de décès à l'hôpital;
- l) le résumé des motifs de mise en congé;
- m) les ordres de mise en congé donnés à l'égard du malade;
- n) le certificat de décès du malade en cas de décès à l'hôpital.

(5) Le dossier médical d'un malade externe, à l'exception de celui du malade externe visé au paragraphe (6), contient notamment les renseignements suivants :

- a) le nom des médecins traitants, des dentistes traitants, des sages-femmes traitantes et des infirmières autorisées traitantes de la catégorie supérieure et infirmiers autorisés traitants de la catégorie supérieure qui ont reçu le malade externe à chaque visite;
- b) les antécédents du malade externe;
- c) les renseignements sur tous les examens qu'ont fait subir au malade externe à l'hôpital les membres du personnel médical, du personnel dentaire, du personnel obstétrical et du personnel infirmier de la catégorie supérieure;
- d) les dossiers d'imagerie diagnostique du malade externe, y compris les enregistrements au magnétoscope de tous les examens ou tests subis si ceux-ci constituent la seule preuve documentaire disponible des examens ou des tests;
- e)
- f) les ordres sur les traitements à fournir au malade externe à l'hôpital, ou sur les examens à lui faire subir;
- g) les consentements au traitement obtenus par écrit à l'égard du malade externe;
- g.1) les déclarations visées au paragraphe 28 (4) à l'égard du malade externe;
- g.2) les avis que le paragraphe 25 (5) de la *Loi de 1996 sur le consentement aux soins de santé* exige de consigner à l'égard du malade externe;
- h) les renseignements sur tous les traitements pratiqués à l'hôpital sur le malade externe par les membres du personnel médical, du personnel dentaire, du personnel obstétrical et du personnel infirmier de la catégorie supérieure;
- h.1) les résultats des examens ou des tests d'imagerie diagnostique;
 - i) les rapports concernant les procédés d'examen pratiqués à l'hôpital sur le malade externe et ceux concernant les résultats des examens ou des tests d'imagerie diagnostique;
 - j) les diagnostics posés à l'égard du malade externe;
- k) le certificat de décès du malade externe en cas de décès à l'hôpital.

(6) Il n'est nécessaire de verser au dossier médical d'un malade externe qui ne visite l'hôpital que pour subir des procédés de diagnostic que les ordres de pratiquer les procédés, les consentements aux procédés obtenus par écrit et les renseignements sur ces procédés.

20. (1) L'hôpital peut photographier les dossiers de renseignements personnels sur la santé dans le but d'en conserver le contenu sur un autre support. Ces photographies sont prises conformément aux méthodes fixées par le conseil après étude des recommandations soumises par le comité médical consultatif.

(2) L'hôpital conserve les dossiers suivants des malades et des malades externes, ou les photographies de ces dossiers, conformément au paragraphe (3) :

- 1. Les dossiers de renseignements personnels sur la santé.
- 2.
- 3. Les lames ayant servi à l'examen microscopique d'un tissu prélevé sur un malade ou sur un malade externe et ayant fait l'objet d'un rapport, à l'exception des frottis de sang que l'auteur du rapport estime normaux.

(3) Les dossiers visés au paragraphe (2) ou les photographies qui en sont faites, sauf ceux auxquels s'applique le paragraphe (4) ou (5), sont conservés :

- a) dans le cas d'un malade âgé d'au moins 18 ans, pendant une période d'au moins 10 ans à partir de la date de sa mise en congé ou de son décès;
- b) dans le cas d'un malade externe âgé d'au moins 18 ans, pendant une période d'au moins 10 ans à partir de sa dernière visite ou de son décès;
- c) dans le cas d'un malade âgé de moins de 18 ans, pendant une période d'au moins 10 ans suivant son 18^e anniversaire de naissance;
- d) dans le cas d'un malade externe âgé de moins de 18 ans, pendant une période d'au moins 10 ans suivant son 18^e anniversaire de naissance.

(4) L'hôpital conserve le dossier d'imagerie diagnostique d'un malade, sauf celui visé au paragraphe (5) :

- a) dans le cas du dossier d'un malade ou d'un malade externe âgé d'au moins 18 ans, pendant une période d'au moins cinq ans à partir de la date de sa création;
- b) dans le cas du dossier d'un malade ou d'un malade externe âgé de moins de 18 ans, pendant une période d'au moins cinq ans suivant son 18^e anniversaire de naissance.

(5) L'hôpital conserve le dossier d'imagerie diagnostique du sein, notamment un cliché mammaire ou une échographie mammaire :

- a) dans le cas du dossier d'un malade ou d'un malade externe âgé d'au moins 18 ans, pendant une période d'au moins 10 ans à partir de la date de sa création;
- b) dans le cas du dossier d'un malade ou d'un malade externe âgé de moins de 18 ans, pendant une période d'au moins 10 ans suivant son 18^e anniversaire de naissance.

(6) Le présent article n'exige pas que l'hôpital conserve les enregistrements au magnétoscope de tous les examens ou tests subis par un malade à moins que ceux-ci ne constituent la seule preuve documentaire disponible des examens ou des tests.

(7) Malgré les paragraphes (3), (4) et (5), si, avant la fin de la période visée à ces paragraphes, l'hôpital reçoit avis d'une action ou d'une investigation, d'une évaluation, d'une inspection, d'une enquête ou d'une autre demande de renseignements visée au paragraphe (8) relativement au traitement d'un malade à l'hôpital, celui-ci conserve les dossiers pertinents :

- a) dans le cas d'une action, jusqu'à ce que celle-ci soit réglée de façon définitive;
- b) dans le cas d'une investigation, d'une évaluation, d'une inspection, d'une enquête ou d'une autre demande de renseignements visée au paragraphe (8), jusqu'à ce que celle-ci soit menée à bien et qu'il ait été statué de façon définitive à l'issue d'une audience subséquente;
- c) dans le cas d'une demande d'accès visée à l'article 53 de la *Loi de 2004 sur la protection des renseignements personnels sur la santé*, aussi longtemps que nécessaire pour permettre au particulier d'épuiser tout recours prévu par cette loi qu'il peut avoir à l'égard de la demande.

(8) Le paragraphe (7) s'applique si l'hôpital reçoit avis de ce qui suit :

- 1. Une enquête, une évaluation, une inspection ou une autre demande de renseignements émanant d'un comité d'un ordre d'une profession de la santé figurant à l'annexe 1 de la *Loi de 1991 sur les professions de la santé réglementées*.
- 2. Une inspection du comité d'étude de la médecine ou d'un comité d'étude des praticiens visée par la *Loi sur l'assurance-santé*.
- 3. Une investigation ou une enquête d'un coroner visée par la *Loi sur les coroners*.
- 4. Une demande d'accès visée à l'article 53 de la *Loi de 2004 sur la protection des renseignements personnels sur la santé*.

21. (1) Le conseil fixe les méthodes que doit suivre l'hôpital pour détruire les dossiers de renseignements personnels sur la santé, ou les photographies de ceux-ci.

(2) Lorsque les dossiers de renseignements personnels sur la santé, ou les photographies de ceux-ci, sont détruits, le directeur général rédige et authentifie sans délai une déclaration indiquant :

- a) d'une part, le nom des malades visés par ces dossiers;
- b) d'autre part, la date et le mode de destruction, et précisant si la destruction a été faite conformément à la méthode fixée par le conseil.

(3) Le directeur général conserve à l'hôpital, conformément aux règlements administratifs de celui-ci, toutes les déclarations faites aux termes du paragraphe (2).

DIVULGATION DES DOSSIERS

22. (1) Sous réserve des exigences de la loi ou du présent article, le conseil ne doit permettre à personne d'emporter ou d'examiner des dossiers de renseignements personnels sur la santé, ou de recevoir des renseignements provenant de tels dossiers.

(2)

(2.1) Le paragraphe (1) ne s'applique pas à l'égard de la collecte, par une personne visée au paragraphe (2.2), de renseignements qui peuvent être nécessaires à une des fins auxquelles la personne a été nommée.

(2.2) Les personnes visées au paragraphe (2.1) sont les suivantes :

- a) les personnes nommées par le ministre pour recueillir des renseignements afin d'aider à la planification des soins dont pourraient avoir besoin les malades des hôpitaux à l'avenir;
- b) les personnes nommées par le ministre pour recueillir des renseignements afin de déterminer l'uniformité et l'exactitude des renseignements recueillis par les personnes visées à l'alinéa a).

(2.3) Le paragraphe (1) ne s'applique pas à l'égard de l'examen de dossiers de renseignements personnels sur la santé, ou à l'égard de la réception de renseignements provenant de tels dossiers, par une personne nommée par le ministre pour former les personnes visées à l'alinéa (2.2) a) si l'inspection et la réception se font dans le cadre d'une telle formation.

(3) Le registraire de l'Ordre des médecins et chirurgiens de l'Ontario, le conseil de l'Ordre ou un médecin nommé par ce conseil de l'Ordre peut, après avoir avisé par écrit le directeur général et le médecin-chef, aux fins d'une enquête sur les soins médicaux fournis par un médecin à un malade ou à un malade externe à l'hôpital :

- a) examiner les dossiers médicaux ou autres documents relatifs aux soins donnés aux malades, notamment les observations et les graphiques, recevoir des renseignements provenant de tels dossiers ou documents, en faire des copies et les conserver;
- b) interroger les employés de l'hôpital et le personnel médical au sujet de l'admission, des traitements, des soins, du comportement, du contrôle et de la mise en congé des malades ou d'une catégorie de malades, et au sujet de la gestion générale de l'hôpital, dans la mesure où les questions ont un rapport avec l'hospitalisation d'un ou de plusieurs malades au sujet desquels l'Ordre fait enquête relativement aux soins et aux traitements reçus.

(4) Le registraire, le conseil de l'Ordre ou un médecin nommé par le conseil de l'Ordre qui désire interroger un employé de l'hôpital ou un membre du personnel médical avise par écrit le directeur général de l'objet de l'interrogatoire et de l'identité des personnes devant être interrogées, si elle est connue.

(5) Le directeur général qui reçoit l'avis écrit prévu au paragraphe (4) avise sans délai par écrit de l'objet de l'interrogatoire les personnes qui peuvent être interrogées et les informe du droit qu'elles ont d'y être accompagnées d'un avocat.

(5.1) Le directeur général du Régime d'assurance-santé de l'Ontario peut examiner les dossiers de renseignements personnels sur la santé et recevoir des renseignements provenant de tels dossiers et s'en faire remettre des copies, dans le but d'exercer, de prouver ou d'établir le droit qu'a le Régime de recouvrer l'un ou l'autre des coûts suivants ou les deux :

1. Le coût engagé pour des services assurés antérieurs.
2. Le coût qui sera probablement engagé pour des services assurés futurs.

(6) Le conseil peut permettre à l'une ou l'autre des personnes suivantes d'examiner des dossiers de renseignements personnels sur la santé et de recevoir des renseignements provenant de tels dossiers et de s'en faire remettre des copies :

- a) un membre du personnel médical, du personnel dentaire, du personnel obstétrical ou du personnel infirmier de la catégorie supérieure, mais seulement aux fins d'enseignement;
- b) une personne à qui un ordre écrit a été donné par le sous-ministre des Anciens Combattants (Canada) ou une personne désignée par celui-ci, lorsque le malade est un membre des Forces armées canadiennes ou un ancien membre des forces militaires, navales ou aériennes de Sa Majesté au Canada;
- c) une personne légalement autorisée à prendre des décisions en matière de traitement au nom d'un incapable.

22.1 (1) Lorsqu'un ordre donné en vertu de l'article 6 de la Loi enjoint à un hôpital de transférer ou de céder le fonctionnement et la gestion de tous ses programmes et de tous ses services à un autre ou à plusieurs autres hôpitaux, l'hôpital qui est visé par l'ordre transfère ses dossiers de renseignements personnels sur la santé aux hôpitaux destinataires indiqués dans l'ordre d'une manière qui protège le caractère privé des dossiers.

(2) Lorsqu'un ordre donné en vertu de l'article 6 de la Loi enjoint à un hôpital de transférer ou de céder le fonctionnement et la gestion d'une partie de ses programmes et de ses services à un autre ou à plusieurs autres hôpitaux, l'hôpital qui est visé par l'ordre transfère les dossiers de renseignements personnels sur la santé qui se rapportent aux programmes et aux services visés par le transfert aux hôpitaux destinataires indiqués dans l'ordre d'une manière qui protège le caractère privé des dossiers.

23. Lorsque le ministre le lui demande, l'hôpital fournit des renseignements provenant :

- a) de dossiers de renseignements personnels sur la santé, notamment des films radiographiques, à Action Cancer Ontario;
- b) de dossiers de renseignements personnels sur la santé à une personne aux fins de collecte, d'organisation et d'analyse de renseignements et de données;
- c) de dossiers de renseignements personnels sur la santé à un médecin évaluateur nommé par le ministère, aux fins d'évaluation des demandes présentées dans le cadre du Programme des services aux régions insuffisamment desservies.

23.1

23.2 (1) L'hôpital fournit des renseignements provenant de dossiers de renseignements personnels sur la santé aux personnes suivantes pour leur permettre de poser un diagnostic à l'égard des personnes susceptibles d'avoir contracté le SRAS et aux fins d'investigation, de prévention, de traitement et de maîtrise de cette maladie :

1. Le médecin-hygiéniste en chef au sens de la *Loi sur la protection et la promotion de la santé*.
2. Un médecin-hygiéniste au sens de la *Loi sur la protection et la promotion de la santé*.
3. Un médecin désigné par le médecin-hygiéniste en chef.

(2) La définition qui suit s'applique au paragraphe (1).

«SRAS» Le syndrome respiratoire aigu sévère.

ORDRES DE TRAITEMENT

24. (1) Les ordres de traitement ou de procédé de diagnostic dont un malade doit faire l'objet sont, sous réserve du paragraphe (2), donnés par écrit et sont datés et authentifiés par le médecin, le dentiste, la sage-femme ou l'infirmière autorisée de la catégorie supérieure ou infirmier autorisé de la catégorie supérieure qui les donne.

(2) Le médecin, le dentiste, la sage-femme ou l'infirmière autorisée de la catégorie supérieure ou infirmier autorisé de la catégorie supérieure peut dicter par téléphone un ordre de traitement ou de procédé de diagnostic à la personne désignée par le directeur général pour recevoir de tels ordres.

(3) Lorsqu'un ordre de traitement ou de procédé diagnostique a été dicté par téléphone :

- a) la personne qui l'a reçu transcrit l'ordre, le nom du médecin, du dentiste, de la sage-femme ou de l'infirmière autorisée de la catégorie supérieure ou infirmier autorisé de la catégorie supérieure qui le lui a dicté, ainsi que la date et l'heure de l'appel, et authentifie la transcription;
- b) le médecin, le dentiste, la sage-femme ou l'infirmière autorisée de la catégorie supérieure ou infirmier autorisé de la catégorie supérieure qui l'a dicté l'authentifie dès sa visite suivante à l'hôpital.

25. (1) Le conseil s'assure de l'établissement à l'hôpital d'une procédure voulant que soit versée au dossier médical du malade, dans les 24 heures de son admission à l'hôpital, une fiche d'admission qui :

- a) d'une part, indique clairement les motifs de l'admission du malade;
- b) d'autre part, est authentifiée par un membre du personnel médical ou du personnel obstétrical ou un membre du personnel dentaire qui est un chirurgien buccal et maxillo-facial.

(2) Le paragraphe (1) ne s'applique pas lorsque le rapport visé à l'alinéa (3) d) ou (3.1) d) est versé au dossier médical du malade dans les 24 heures de son admission à l'hôpital.

(3) Le conseil s'assure de l'établissement à l'hôpital d'une procédure voulant que les médecins prennent les mesures suivantes, dans les 72 heures de l'admission d'un malade à l'hôpital :

- a) obtenir les antécédents médicaux du malade;
- b) procéder à l'examen physique du malade;
- c) poser un diagnostic provisoire concernant l'état de santé du malade;
- d) consigner les antécédents et le rapport des résultats de l'examen physique du malade ainsi que le diagnostic provisoire posé à son égard, y indiquer la date et les authentifier.

(3.1) Le conseil s'assure de l'établissement à l'hôpital d'une procédure voulant que les chirurgiens buccaux et maxillo-faciaux prennent les mesures suivantes, dans les 72 heures de l'admission d'un malade à l'hôpital :

- a) obtenir les antécédents médicaux du malade;
- b) procéder à l'examen physique du malade;
- c) effectuer une évaluation provisoire de l'état de santé du malade et poser un diagnostic provisoire à son égard ou effectuer une évaluation provisoire de l'état de sa dentition;
- d) consigner les antécédents et le rapport des résultats de l'examen physique du malade ainsi que l'évaluation provisoire effectuée et le diagnostic provisoire posé à son égard, y indiquer la date et les authentifier.

(4) Les paragraphes (3) et (3.1) ne s'appliquent pas à un malade qui est admis de nouveau à l'hôpital sur la base du même diagnostic dans les 10 jours de sa mise en congé.

(5) Les paragraphes (1), (3) et (3.1) ne s'appliquent pas aux visites répétées qu'effectue un malade qui doit retourner à l'hôpital pour y subir des traitements périodiques pour une même blessure ou maladie.

(6) Lorsqu'un malade est admis à l'hôpital pour y subir un traitement administré par un dentiste, le dentiste traitant prend les mesures suivantes dans les 24 heures de l'admission du malade :

- a) il obtient les antécédents dentaires du malade qui sont liés aux motifs du traitement;
- b) il procède à l'examen dentaire et oral du malade;
- c) il pose un diagnostic provisoire concernant l'état de la dentition du malade;
- d) il consigne les antécédents et le rapport des résultats de l'examen du malade ainsi que le diagnostic provisoire posé à son égard et un plan du traitement dentaire à lui administrer, y indique la date et les authentifier.

(7) Lorsqu'un malade est admis à l'hôpital pour qu'une personne autre qu'un chirurgien buccal et maxillo-facial lui fasse subir une intervention chirurgicale dentaire, le dentiste traitant s'assure, avant le début de cette intervention, de l'observation des procédures prévues aux paragraphes (3) et (6).

(8) Lorsqu'une malade est admise à l'hôpital par une sage-femme, la sage-femme traitante prend les mesures suivantes dans les 72 heures de son admission, ou avant sa mise en congé si elle est mise en congé dans les 72 heures de son admission :

- a) elle obtient les antécédents de la malade;
- b) elle procède à l'examen physique de la malade;
- c) elle effectue une évaluation provisoire de l'état de santé de la malade;
- d) elle consigne les antécédents et le rapport des résultats de l'examen physique de la malade ainsi que l'évaluation provisoire effectuée à son égard, y indique la date et les authentifie.

26.

STÉRILISATION DES PERSONNES ÂGÉES DE MOINS DE 16 ANS

27. (1) Nul ne doit pratiquer une intervention chirurgicale destinée à rendre stérile un malade âgé de moins de 16 ans.

(2) Le paragraphe (1) ne s'applique pas lorsque le médecin traitant juge que l'intervention chirurgicale est nécessaire d'un point de vue médical pour la protection de la santé physique du malade.

ANESTHÉSIE

28. (1) Nul ne doit pratiquer sur un malade ou un malade externe une anesthésie générale, rachidienne, épidurale ou intraveineuse ou une anesthésie régionale par blocage nerveux, à l'exception d'une anesthésie mandibulaire par blocage nerveux pratiquée dans le cadre d'une intervention dentaire, avant de consigner à son dossier médical les renseignements suivants :

- a) les antécédents de la maladie ou de l'invalidité actuelle ainsi que les antécédents médicaux pertinents à cet égard;
- b)
- c) les résultats de l'examen physique du malade;
- d) les résultats des tests de laboratoire que le médecin traitant ou le dentiste traitant juge nécessaires à l'égard du malade.

(2) Nul ne doit pratiquer sur un malade une anesthésie générale, rachidienne, épidurale ou intraveineuse ou une anesthésie régionale par blocage nerveux, à l'exception d'une anesthésie mandibulaire par blocage nerveux pratiquée dans le cadre d'une intervention dentaire, avant que l'anesthésiste :

- a) d'une part, n'ait obtenu les antécédents médicaux du malade et n'ait procédé à un examen physique de celui-ci suffisamment approfondi pour lui permettre d'évaluer son état et de choisir l'anesthésique approprié;
- b) d'autre part, n'ait inscrit ou fait inscrire au dossier d'anesthésie les données tirées des antécédents, des résultats des tests de laboratoire et de l'examen physique du malade qui sont pertinentes pour l'administration de l'anesthésique aux fins de l'intervention envisagée, et ne les ait authentifiées.

(3) Les paragraphes (1) et (2) ne s'appliquent pas lorsque l'anesthésiste et le médecin traitant jugent que le fait de retarder une intervention en vue de se conformer à ces paragraphes mettrait en danger la vie du malade ou un de ses membres ou de ses organes vitaux.

(4) Lorsqu'un anesthésiste a l'intention de pratiquer une anesthésie visée au paragraphe (1) ou (2) sans se conformer à ces paragraphes et que celui-ci et le médecin traitant jugent que le fait de retarder une intervention en vue de s'y conformer mettrait en danger la vie du malade ou un de ses membres ou de ses organes vitaux, l'anesthésiste et le chirurgien, dès que possible, préparent et authentifient conjointement une déclaration en ce sens.

(5) L'anesthésiste qui pratique sur un malade une anesthésie visée au paragraphe (1) ou (2) rédige un rapport d'anesthésie contenant les renseignements suivants :

- a) les médicaments donnés au malade en prévision de l'anesthésie;
- b) le mode de ventilation, les circuits et les moniteurs utilisés à l'égard du malade;
- c) les agents anesthésiques utilisés, leur mode d'administration ainsi que la proportion ou la concentration d'agents anesthésiques administrés au malade par inhalation;
- d) le nom des médicaments donnés par injection au malade, la quantité de ces médicaments et la fréquence de ces injections;
- e) la durée de l'anesthésie;

- f) les pertes liquidiennes du malade, basées sur des estimations;
- g) la quantité et le type de produits sanguins et d'autres liquides administrés au malade par voie intraveineuse au cours de l'intervention;
- h) les signes vitaux constatés chez le malade avant, pendant et après l'anesthésie.

CHIRURGIE

29. (1) Avant de pratiquer une intervention chirurgicale sur un malade, le chirurgien :

- a) d'une part, procède à un examen physique du malade suffisamment approfondi pour lui permettre de poser un diagnostic;
- b) d'autre part, inscrit ou fait inscrire au dossier médical du malade une déclaration portant sur les résultats de l'examen physique auquel il a procédé et sur le diagnostic qu'il a posé, et l'authentifie.

(2) Lorsqu'un chirurgien pratique une intervention chirurgicale à l'hôpital, il rédige ou fait rédiger par une personne compétente une description de l'intervention chirurgicale pratiquée sur le malade ainsi que des constatations faites et du diagnostic posé à son égard en cours d'intervention, selon le cas.

(3) La description visée au paragraphe (2) est authentifiée par le chirurgien qui pratique l'intervention et par la personne qui rédige la description.

30. (1) Le chirurgien qui pratique une intervention sur un malade est chargé de donner des directives concernant les soins postopératoires à dispenser au malade jusqu'à ce qu'un autre médecin en assume la responsabilité.

(2) L'anesthésiste qui pratique une anesthésie sur un malade est chargé de donner des directives concernant les soins postanesthésiques à dispenser au malade.

31. (1) Le chirurgien qui pratique une intervention ou un curetage fait envoyer à un laboratoire les tissus enlevés au malade au cours de l'intervention ou du curetage, le cas échéant, à des fins d'examen et de préparation d'un rapport. Il y fait aussi envoyer un résumé des antécédents du malade et une description de ses constatations faites en cours d'intervention.

(2) Malgré le paragraphe (1), si le tissu enlevé est un bras, un doigt, un pied, une main, une hémorroïde, un cristallin, une jambe, un prépuce, une amygdale, un orteil, un ongle d'orteil ou une dent, le tissu ne doit pas être envoyé à un laboratoire à moins que le chirurgien qui a pratiqué l'intervention ne demande son examen et la préparation d'un rapport sur celui-ci.

32. La personne qui fait un prélèvement de sang en vue d'une transfusion consigne ou fait consigner dans un dossier :

- a) le nom, l'adresse, le groupe sanguin et le facteur Rh du sujet;
- b) la date de prélèvement du sang;
- c) la quantité de sang prélevée;
- d) le résultat des tests effectués sur les échantillons du sang destiné à la transfusion.

FACTURATION DE CERTAINS SERVICES

33. (1) Seuls les hôpitaux du groupe M au sens du Règlement 964 des Règlements refondus de l'Ontario de 1990 (Classification of Hospitals) sont autorisés à demander ou à accepter une contrepartie monétaire d'autres hôpitaux pour l'exécution d'une tomодensitométrie.

(2) Seuls les hôpitaux du groupe N au sens du Règlement 964 des Règlements refondus de l'Ontario de 1990 (Classification of Hospitals) sont autorisés à demander ou à accepter une contrepartie monétaire d'autres hôpitaux pour l'exécution d'une résonance magnétique nucléaire.

(3) Seuls les hôpitaux du groupe P au sens du Règlement 964 des Règlements refondus de l'Ontario de 1990 (Classification of Hospitals) sont autorisés à demander ou à accepter une contrepartie monétaire d'autres hôpitaux pour l'exécution d'une lithotritie extracorporelle au moyen d'ondes de choc.

34. (1) Lorsque le présent règlement ou un règlement administratif d'un hôpital exige l'entrée, la préparation, la tenue, la rédaction, la conservation ou la reproduction d'une observation, d'un rapport, d'un dossier, d'un ordre, d'une entrée, d'une signature ou d'une transcription, la mesure exigée peut être prise au moyen du procédé électronique ou optique ou de la combinaison de ces procédés qu'autorise le conseil.

(2) Le conseil s'assure que le procédé électronique ou optique visé au paragraphe (1) est conçu et utilisé de façon que l'observation, le rapport, le dossier, l'ordre, l'entrée, la signature ou la transcription soit à l'abri des pertes, des altérations, des ingérences ou des utilisations ou des consultations interdites.

DÉFINITION DE «FILIALE HOSPITALIÈRE»

35. (1) La définition qui suit s'applique dans le cadre du paragraphe 32 (4) de la Loi.

«maître hospitalière» Association contrôlée directement ou indirectement et de quelque manière que ce soit par un ou plusieurs hôpitaux.

(2)

DISSOLUTION DES ASSOCIATIONS HOSPITALIÈRES

36. L'association qui est ou a déjà été propriétaire d'un hôpital ou qui en exploite ou en a déjà exploité un ne doit prendre aucune mesure qui puisse entraîner la dissolution de l'association à moins que le ministre n'approuve la mesure en question.

FORMULE 1 CERTIFICAT DE DÉCÈS

Loi sur les hôpitaux publics

Nom du malade

Date et heure du décès

CAUSE DU DÉCÈS

| | | Durée approximative de l'intervalle entre l'apparition des symptômes et le décès |
|--|--------------|--|
| I | | |
| CAUSE IMMÉDIATE — Indiquer la maladie, blessure ou complication qui a provoqué le décès, et non la façon dont il est survenu (par arrêt cardiaque, asphyxie, asthénie, etc.). | (a) | |
| ÉTATS PATHOLOGIQUES, le cas échéant, à l'origine de la cause immédiate (les indiquer dans l'ordre inverse de leur apparition, en commençant par celui qui précède la cause immédiate). | dû/due à (b) | |
| | dû/due à (c) | |
| II | | |
| AUTRES ÉTATS PATHOLOGIQUES (importants) qui ont contribué au décès, mais qui ne sont pas directement liés à la cause immédiate. | | |

.....
Signature du médecin traitant

.....
Date de la signature

FORMULE 2

FORMULE 3

Made by:
Pris par :

Le ministre de la Santé et des Soins de longue durée,

GEORGE SMITHERMAN
Minister of Health and Long-Term Care

Date made: May 2, 2006.
Pris le : 2 mai 2006.

22/06

ONTARIO REGULATION 205/06

made under the

HEALTH PROTECTION AND PROMOTION ACT

Made: May 17, 2006
Filed: May 19, 2006
Published on e-Laws: May 23, 2006
Printed in *The Ontario Gazette*: June 3, 2006

Revoking Reg. 561 of R.R.O. 1990
(Exemption — Subsection 38 (2) of the Act)

Note: Regulation 561 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Regulation 561 of the Revised Regulations of Ontario, 1990 is revoked.

22/06

ONTARIO REGULATION 206/06

made under the

PUBLIC TRANSPORTATION AND HIGHWAY IMPROVEMENT ACT

Made: April 19, 2006
Filed: May 19, 2006
Published on e-Laws: May 23, 2006
Printed in *The Ontario Gazette*: June 3, 2006

USE OF COMMUTER PARKING LOTS, TRANSIT STATIONS AND REST, SERVICE AND OTHER AREAS

Parking in a commuter parking lot or transit station

1. (1) No person shall park a vehicle on any part of a commuter parking lot or transit station that is constructed, maintained or operated by the Minister where parking is prohibited by appropriate signs.

(2) Where parking is permitted on a commuter parking lot that is constructed, maintained or operated by the Minister, no person shall leave a vehicle parked for longer than 120 consecutive hours.

(3) Despite subsection (2), even where parking is permitted on a commuter parking lot described in that subsection, no person shall leave a vehicle that is wider than 2.1 metres parked and unattended for any period of time.

Parking in a rest, service or other area

2. (1) No person shall park a vehicle on any part of a rest, service or other area that is constructed, maintained or operated by the Minister where parking is prohibited by appropriate signs.

(2) No person shall park a vehicle between the hours of 11 p.m. and 5 a.m. on any part of a rest, service or other area that is constructed, maintained or operated by the Minister unless parking is permitted by appropriate signs.

Camping in a rest, service or other area

3. No person shall camp on any part of a rest, service or other area that is constructed, maintained or operated by the Minister unless camping is permitted by appropriate signs.

4. Regulation 980 of the Revised Regulations of Ontario, 1990 is revoked.

5. This Regulation comes into force on the later of April 28, 2006 and the day this Regulation is filed.

22/06

ONTARIO REGULATION 207/06

made under the

PROVINCIAL OFFENCES ACT

Made: May 17, 2006

Filed: May 19, 2006

Published on e-Laws: May 23, 2006

Printed in *The Ontario Gazette*: June 3, 2006

Amending Reg. 949 of R.R.O. 1990

(Parking Infractions)

Note: Regulation 949 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Schedule 15 to Regulation 949 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

SCHEDULE 15

Ontario Regulation 206/06 under the *Public Transportation and Highway Improvement Act*

| Item | Column 1 | Column 2 |
|------|---|------------------|
| 1. | Park on commuter parking lot where parking prohibited by sign | subsection 1 (1) |
| 2. | Park on transit station where parking prohibited by sign | subsection 1 (1) |
| 3. | Park on commuter parking lot for more than 120 hours | subsection 1 (2) |
| 4. | Park and leave wide vehicle unattended on commuter parking lot | subsection 1 (3) |
| 5. | Park on rest area where parking prohibited by sign | subsection 2 (1) |
| 6. | Park on service area where parking prohibited by sign | subsection 2 (1) |
| 7. | Park on area other than rest or service area where parking prohibited by sign | subsection 2 (1) |
| 8. | Park on rest area between 11 p.m. and 5 a.m. unless parking is permitted by sign | subsection 2 (2) |
| 9. | Park on service area between 11 p.m. and 5 a.m. unless parking is permitted by sign | subsection 2 (2) |
| 10. | Park on area other than rest or service area between 11 p.m. and 5 a.m. unless parking is permitted by sign | subsection 2 (2) |
| 11. | Camp on rest area unless parking is permitted by sign | section 3 |
| 12. | Camp on service area unless parking is permitted by sign | section 3 |
| 13. | Camp on area other than rest or service area unless parking is permitted by sign | section 3 |

2. This Regulation comes into force on the later of April 28, 2006 and the day this Regulation is filed.

22/06

ONTARIO REGULATION 208/06

made under the

PROVINCIAL OFFENCES ACT

Made: May 17, 2006

Filed: May 19, 2006

Published on e-Laws: May 23, 2006

Printed in *The Ontario Gazette*: June 3, 2006

Amending Reg. 950 of R.R.O. 1990
(Proceedings Commenced by Certificate of Offence)

Note: Regulation 950 has previously been amended. Those amendments are listed in the [Table of Regulations - Legislative History Overview](#) which can be found at www.e-Laws.gov.on.ca.

1. Schedule 3.1 to Regulation 950 of the Revised Regulations of Ontario, 1990 is amended by adding the following item:

| | | |
|-----|--|--------------|
| 8.1 | Fail to comply with Federal Regulations safety standards — insecure load | clause 3 (b) |
|-----|--|--------------|

2. Schedule 54 to the Regulation is revoked and the following substituted:

SCHEDULE 54

Regulation 611 of the Revised Regulations of Ontario, 1990 under the *Highway Traffic Act*

| Item | Column 1 | Column 2 |
|------|--|-------------------|
| 1. | Licensee — fail to remove or cover previous annual inspection sticker — commercial vehicle | clause 8 (4) (c) |
| 2. | Authorized person — fail to remove or cover previous annual inspection sticker — commercial vehicle | clause 8 (4) (c) |
| 3. | Inspection mechanic — fail to remove or cover previous annual inspection sticker — commercial vehicle | clause 8 (4) (c) |
| 4. | Licensee — fail to properly affix current annual inspection sticker — commercial vehicle | clause 8 (4) (c) |
| 5. | Authorized person — fail to properly affix current annual inspection sticker — commercial vehicle | clause 8 (4) (c) |
| 6. | Inspection mechanic — fail to properly affix current annual inspection sticker — commercial vehicle | clause 8 (4) (c) |
| 7. | Licensee — fail to remove previous dump vehicle inspection sticker | clause 9 (4) (c) |
| 8. | Authorized person — fail to remove previous dump vehicle inspection sticker | clause 9 (4) (c) |
| 9. | Inspection mechanic — fail to remove previous dump vehicle inspection sticker | clause 9 (4) (c) |
| 10. | Licensee — fail to properly affix current dump vehicle inspection sticker | clause 9 (4) (c) |
| 11. | Authorized person — fail to properly affix current dump vehicle inspection sticker | clause 9 (4) (c) |
| 12. | Inspection mechanic — fail to properly affix current dump vehicle inspection sticker | clause 9 (4) (c) |
| 13. | Licensee — fail to remove or cover previous annual inspection sticker — school purposes vehicle | clause 10 (3) (c) |
| 14. | Authorized person — fail to remove or cover previous annual inspection sticker — school purposes vehicle | clause 10 (3) (c) |
| 15. | Inspection mechanic — fail to remove or cover previous annual inspection sticker — school purposes vehicle | clause 10 (3) (c) |
| 16. | Licensee — fail to properly affix current annual inspection sticker — school purposes vehicle | clause 10 (3) (c) |
| 17. | Authorized person — fail to properly affix current annual inspection sticker — school purposes vehicle | clause 10 (3) (c) |
| 18. | Inspection mechanic — fail to properly affix current annual inspection sticker — school purposes vehicle | clause 10 (3) (c) |
| 19. | Licensee — fail to remove or cover previous safety inspection sticker — school purposes vehicle | clause 10 (5) (c) |
| 20. | Authorized person — fail to remove or cover previous safety inspection sticker — school purposes vehicle | clause 10 (5) (c) |
| 21. | Inspection mechanic — fail to remove or cover previous safety inspection sticker — school purposes vehicle | clause 10 (5) (c) |
| 22. | Licensee — fail to properly affix current safety inspection sticker — school purposes vehicle | clause 10 (5) (c) |
| 23. | Authorized person — fail to properly affix current safety inspection sticker — school purposes vehicle | clause 10 (5) (c) |

| Item | Column 1 | Column 2 |
|------|--|-------------------|
| 24. | Inspection mechanic — fail to properly affix current safety inspection sticker — school purposes vehicle | clause 10 (5) (c) |
| 25. | Licensee — fail to remove or cover previous annual inspection sticker — bus | clause 11 (4) (c) |
| 26. | Authorized person — fail to remove or cover previous annual inspection sticker — bus | clause 11 (4) (c) |
| 27. | Inspection mechanic — fail to remove or cover previous annual inspection sticker — bus | clause 11 (4) (c) |
| 28. | Licensee — fail to properly affix current annual inspection sticker — bus | clause 11 (4) (c) |
| 29. | Authorized person — fail to properly affix current annual inspection sticker — bus | clause 11 (4) (c) |
| 30. | Inspection mechanic — fail to properly affix current annual inspection sticker — bus | clause 11 (4) (c) |
| 31. | Licensee — fail to remove or cover previous safety inspection sticker — bus | clause 11 (7) (c) |
| 32. | Authorized person — fail to remove or cover previous safety inspection sticker — bus | clause 11 (7) (c) |
| 33. | Inspection mechanic — fail to remove or cover previous safety inspection sticker — bus | clause 11 (7) (c) |
| 34. | Licensee — fail to properly affix current safety inspection sticker — bus | clause 11 (7) (c) |
| 35. | Authorized person — fail to properly affix current safety inspection sticker — bus | clause 11 (7) (c) |
| 36. | Inspection mechanic — fail to properly affix current safety inspection sticker — bus | clause 11 (7) (c) |

22/06

ONTARIO REGULATION 209/06

made under the

PROVINCIAL OFFENCES ACT

Made: May 17, 2006

Filed: May 19, 2006

Published on e-Laws: May 23, 2006

Printed in *The Ontario Gazette*: June 3, 2006

Amending Reg. 950 of R.R.O. 1990

(Proceedings Commenced by Certificate of Offence)

Note: Regulation 950 has previously been amended. Those amendments are listed in the Table of Regulations — Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Schedules 86, 87, 88 and 89 to Regulation 950 of the Revised Regulations of Ontario, 1990 are revoked.

22/06

ONTARIO REGULATION 210/06

made under the

PROVINCIAL OFFENCES ACT

Made: May 17, 2006

Filed: May 19, 2006

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Printed in *The Ontario Gazette*: June 3, 2006

Amending Reg. 950 of R.R.O. 1990

(Proceedings Commenced by Certificate of Offence)

Note: Regulation 950 has previously been amended. Those amendments are listed in the Table of Regulations — Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. (1) Items 75 and 78 of Schedule 43 to Regulation 950 of the Revised Regulations of Ontario, 1990 are revoked.

(2) Item 83 of Schedule 43 to the Regulation is revoked and the following substituted:

| | | |
|-----|------------------------------|-------------------|
| 83. | Fail to retain copy of lease | subsection 20 (1) |
|-----|------------------------------|-------------------|

(3) Schedule 43 to the Regulation is amended by adding the following items:

| | | |
|--------|---|-------------------|
| 83.0.1 | Provide fictitious, altered or fraudulently obtained CVOR certificate | subsection 21 (4) |
| 83.0.2 | Use fictitious, altered or fraudulently obtained CVOR certificate | subsection 21 (4) |
| 83.0.3 | Permit the use of fictitious, altered or fraudulently obtained CVOR certificate | subsection 21 (4) |
| 83.0.4 | Improperly use CVOR certificate | subsection 21 (4) |

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| | | |
|------|---|--------------|
| 83.4 | Inadequate cargo insurance | section 23.1 |
| 83.5 | No evidence of cargo insurance in vehicle | section 23.1 |

(4) Items 110 and 111 of Schedule 43 to the Regulation are revoked and the following substituted:

| | | |
|------|---|-------------------|
| 110. | Procure CVOR certificate while suspended or cancelled | subsection 47 (7) |
| 111. | Apply for CVOR certificate while suspended or cancelled | subsection 47 (7) |

(5) Items 336, 337 and 338 of Schedule 43 to the Regulation are revoked and the following substituted:

| | | |
|-------|--|--------------------|
| 336. | Fail or refuse to stop | subsection 124 (3) |
| 337. | Fail or refuse to drive vehicle to scale | subsection 124 (3) |
| 338. | Fail or refuse to redistribute or remove load | clause 124 (4) (a) |
| 338.1 | Fail or refuse to stop — commercial motor vehicle | subsection 124 (5) |
| 338.2 | Fail or refuse to drive vehicle to scale — commercial motor vehicle | subsection 124 (5) |
| 338.3 | Fail or refuse to redistribute or remove load — commercial motor vehicle | clause 124 (6) (a) |

(6) Items 473, 473.1, 474, 474.1, 475 and 475.1 of Schedule 43 to the Regulation are revoked and the following substituted:

| | | |
|-------|---|--------------------|
| 473. | Disobey railway crossing signal — stop at wrong place | subsection 163 (1) |
| 473.1 | Disobey railway crossing signal — stop at wrong place — community safety zone | subsection 163 (1) |
| 474. | Disobey railway crossing signal — fail to stop | subsection 163 (1) |
| 474.1 | Disobey railway crossing signal — fail to stop — community safety zone | subsection 163 (1) |
| 475. | Disobey railway crossing signal — proceed unsafely | subsection 163 (1) |
| 475.1 | Disobey railway crossing signal — proceed unsafely — community safety zone | subsection 163 (1) |
| 475.2 | Disobey stop sign at railway crossing — stop at wrong place | subsection 163 (2) |
| 475.3 | Disobey stop sign at railway crossing — stop at wrong place — community safety zone | subsection 163 (2) |
| 475.4 | Disobey stop sign at railway crossing — fail to stop | subsection 163 (2) |
| 475.5 | Disobey stop sign at railway crossing — fail to stop — community safety zone | subsection 163 (2) |
| 475.6 | Disobey stop sign at railway crossing — proceed unsafely | subsection 163 (2) |
| 475.7 | Disobey stop sign at railway crossing — proceed unsafely — community safety zone | subsection 163 (2) |

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(7) Schedule 43 to the Regulation is amended by adding the following items:

| | | |
|---------|---|----------------------|
| 554.0.1 | Fail to assist in examination of commercial vehicle | subsection 216.1 (1) |
| 554.0.2 | Fail to stop commercial vehicle for examination | subsection 216.1 (2) |
| 554.0.3 | Fail to surrender documents | subsection 216.1 (3) |
| 554.0.4 | Fail to furnish information | subsection 216.1 (3) |
| 554.0.5 | Fail to comply with direction of officer | subsection 216.1 (7) |

RÈGLEMENT DE L'ONTARIO 1990
pris en application de la
LOI SUR LES INFRACTIONS PROVINCIALES

pris le 17 mai 2006
déposé le 19 mai 2006
publié sur le site Lois-en-ligne le 23 mai 2006
imprimé dans la *Gazette de l'Ontario* le 3 juin 2006

modifiant le Règl. 950 des R.R.O. de 1990
(Instances introduites au moyen du dépôt d'un procès-verbal d'infraction)

Remarque : Le Règlement 950 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des règlements qui se trouve sur le site www.lois-en-ligne.gouv.on.ca.

1. (1) Les numéros 75 et 78 de l'annexe 43 du Règlement 950 des Règlements refondus de l'Ontario de 1990 sont abrogés.

(2) Le numéro 83 de l'annexe 43 du Règlement est abrogé et remplacé par ce qui suit :

| | | |
|-----|---|-------------------|
| 83. | Omettre de conserver une copie du contrat de location | paragraphe 20 (1) |
|-----|---|-------------------|

(3) L'annexe 43 du Règlement est modifiée par adjonction des numéros suivants :

| | | |
|--------|--|-------------------|
| 83.0.1 | Fournir un certificat d'immatriculation UVU factice, modifié ou obtenu par fraude | paragraphe 21 (4) |
| 83.0.2 | Utiliser un certificat d'immatriculation UVU factice, modifié ou obtenu par fraude | paragraphe 21 (4) |
| 83.0.3 | Permettre que soit utilisé un certificat d'immatriculation UVU factice, modifié ou obtenu par fraude | paragraphe 21 (4) |
| 83.0.4 | Utiliser improprement un certificat d'immatriculation UVU | paragraphe 21 (4) |

| | | |
|------|---|--------------|
| 83.4 | Ne pas souscrire une assurance adéquate pour le transport de biens | article 23.1 |
| 83.5 | Ne pas avoir une preuve d'assurance pour le transport de biens à bord du véhicule | article 23.1 |

(4) Les numéros 110 et 111 de l'annexe 43 du Règlement sont abrogés et remplacés par ce qui suit :

| | | |
|------|---|-------------------|
| 110. | Obtenir la délivrance d'un certificat d'immatriculation UVU alors que le certificat est suspendu ou annulé | paragraphe 47 (7) |
| 111. | Demander la délivrance d'un certificat d'immatriculation UVU alors que le certificat est suspendu ou annulé | paragraphe 47 (7) |

(5) Les numéros 336, 337 et 338 de l'annexe 43 du Règlement sont abrogés et remplacés par ce qui suit :

| | | |
|-------|--|--------------------|
| 336. | Omettre ou refuser de s'arrêter | paragraphe 124 (3) |
| 337. | Omettre ou refuser de conduire son véhicule à un poste de pesée | paragraphe 124 (3) |
| 338. | Omettre ou refuser de répartir la charge à nouveau ou d'en retrancher une partie | alinéa 124 (4) a) |
| 338.1 | Omettre ou refuser de s'arrêter — véhicule utilitaire | paragraphe 124 (5) |
| 338.2 | Omettre ou refuser de conduire son véhicule à un poste de pesée — véhicule utilitaire | paragraphe 124 (5) |
| 338.3 | Omettre ou refuser de répartir la charge à nouveau ou d'en retrancher une partie — véhicule utilitaire | alinéa 124 (6) a) |

(6) Les numéros 473, 473.1, 474, 474.1, 475 et 475.1 de l'annexe 43 du Règlement sont abrogés et remplacés par ce qui suit :

| | | |
|-------|--|--------------------|
| 473. | Ne pas observer un dispositif de signalisation indiquant un passage à niveau — s'arrêter à un mauvais endroit | paragraphe 163 (1) |
| 473.1 | Ne pas observer un dispositif de signalisation indiquant un passage à niveau — s'arrêter à un mauvais endroit — zone de sécurité communautaire | paragraphe 163 (1) |
| 474. | Ne pas observer un dispositif de signalisation indiquant un passage à niveau — omettre de s'arrêter | paragraphe 163 (1) |

| | | |
|-------|---|--------------------|
| 474.1 | Ne pas observer un dispositif de signalisation indiquant un passage à niveau — omettre de s'arrêter — zone de sécurité communautaire | paragraphe 163 (1) |
| 475. | Ne pas observer un dispositif de signalisation indiquant un passage à niveau — repartir imprudemment | paragraphe 163 (1) |
| 475.1 | Ne pas observer un dispositif de signalisation indiquant un passage à niveau — repartir imprudemment — zone de sécurité communautaire | paragraphe 163 (1) |
| 475.2 | Ne pas observer un panneau d'arrêt à un passage à niveau — s'arrêter à un mauvais endroit | paragraphe 163 (2) |
| 475.3 | Ne pas observer un panneau d'arrêt à un passage à niveau — s'arrêter à un mauvais endroit — zone de sécurité communautaire | paragraphe 163 (2) |
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| 475.5 | Ne pas observer un panneau d'arrêt à un passage à niveau — omettre de s'arrêter — zone de sécurité communautaire | paragraphe 163 (2) |
| 475.6 | Ne pas observer un panneau d'arrêt à un passage à niveau — repartir imprudemment | paragraphe 163 (2) |
| 475.7 | Ne pas observer un panneau d'arrêt à un passage à niveau — repartir imprudemment — zone de sécurité communautaire | paragraphe 163 (2) |

(7) L'annexe 43 du Règlement est modifiée par adjonction des numéros suivants :

| | | |
|---------|--|----------------------|
| 554.0.1 | Omettre d'aider à effectuer l'examen d'un véhicule commercial | paragraphe 216.1 (1) |
| 554.0.2 | Omettre d'arrêter un véhicule commercial pour l'examen du véhicule | paragraphe 216.1 (2) |
| 554.0.3 | Omettre de remettre les documents | paragraphe 216.1 (3) |
| 554.0.4 | Omettre de fournir les renseignements | paragraphe 216.1 (3) |
| 554.0.5 | Omettre de se conformer à l'ordre de l'agent | paragraphe 216.1 (7) |

22/06

ONTARIO REGULATION 211/06

made under the

EDUCATION ACT

Made: May 17, 2006

Filed: May 19, 2006

Published on e-Laws: May 23, 2006

Printed in *The Ontario Gazette*: June 3, 2006

Amending O. Reg. 412/00

(Elections to and Representation on District School Boards)

Note: Ontario Regulation 412/00 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Paragraphs 3 and 4 of subsection 1 (2) of Ontario Regulation 412/00, as remade by section 1 of Ontario Regulation 74/06, are revoked.

2. The Regulation is amended by adding the following Part:

PART II 2006 REGULAR ELECTION

12. For the purposes of this Part,

“start date” means the day after Ontario Regulation 211/06 is filed.

13. Part I applies to the 2006 regular election and to any by-election held during the term of office of members of boards that commences immediately after that election, with the following modifications:

1. Despite subsection 1 (2),

- i. a reference to the local municipality of Brant Narrows West or a ward of the municipality is deemed, with respect to the election of members of a board, to be a reference to the municipality or ward with the boundaries that will apply for the purposes of the election, as determined on March 7, 2006, and
 - ii. a reference to the local municipality of South Algonquin or a ward of the municipality is deemed, with respect to the election of members of the Renfrew County District School Board and the Conseil scolaire de district des écoles publiques de langue française n° 59, to be a reference to the municipality or ward with the boundaries that will apply for the purposes of the election, as determined on March 7, 2006.
2. The reference to "Before February 15 in each election year" in subsection 2 (1) shall be read as "Before the start date".
 3. The reference to "February 15 of the election year" in subsection 2 (3) shall be read as "the start date".
 4. The reference to "March 31 in each election year" in subsection 3 (1), subsection 4 (1), and section 5 shall be read as "seven days after the start date".
 5. The reference to "March 31, 2003" in subsection 3 (3) shall be read as "the seventh day after the start date".
 6. The reference to the "2003 regular election" in subsection 3 (3) shall be read as a reference to the "2006 regular election".
 7. The reference to the "2000 regular election" in subsection 3 (3) shall be read as a reference to the "2003 regular election".
 8. The reference to "March 31 in an election year" in section 3.1 shall be read as "the seventh day after the start date".
 9. The reference to "April 3 in each election year" in subsection 9 (2) shall be read as "10 days after the start date".
 10. The reference to "April 21 in the election year" in subsection 10 (4) shall be read as "28 days after the start date".
 11. The reference to "April 25 in the election year" in subsection 10 (6) shall be read as "30 days after the start date".
 12. The reference to "June 10 in the election year" in subsection 10 (10) shall be read as "71 days after the start date".
3. (1) **Item 5 of Table 1 of the Regulation is revoked and the following substituted:**

| | | |
|----|---|-------|
| 5. | Keewatin-Patricia District School Board | 6,735 |
|----|---|-------|

(2) **Item 5 of Table 1 of the Regulation, as remade by subsection 2 (1) of Ontario Regulation 74/06, is revoked.**

(3) **Item 30 of Table 1 of the Regulation is revoked and the following substituted:**

| | | |
|-----|--------------------------------------|-------|
| 30. | Renfrew County District School Board | 8,073 |
|-----|--------------------------------------|-------|

(4) **Item 30 of Table 1 of the Regulation, as remade by subsection 2 (2) of Ontario Regulation 74/06, is revoked.**

(5) **Item 37 of Table 1 of the Regulation is revoked and the following substituted:**

| | | |
|-----|---------------------------------------|-------|
| 37. | Kenora Catholic District School Board | 1,836 |
|-----|---------------------------------------|-------|

(6) **Item 37 of Table 1 of the Regulation, as remade by subsection 2 (3) of Ontario Regulation 74/06, is revoked.**

(7) **Item 62 of Table 1 of the Regulation is revoked and the following substituted:**

| | | |
|-----|---|--------|
| 62. | Conseil scolaire de district du Grand Nord de l'Ontario | 63,225 |
|-----|---|--------|

(8) **Item 62 of Table 1 of the Regulation, as remade by subsection 2 (4) of Ontario Regulation 74/06, is revoked.**

(9) **Item 64 of Table 1 of the Regulation is revoked and the following substituted:**

| | | |
|-----|---|--------|
| 64. | Conseil scolaire de district des écoles publiques de langue française n° 59 | 37,374 |
|-----|---|--------|

(10) **Item 64 of Table 1 of the Regulation, as remade by subsection 2 (5) of Ontario Regulation 74/06, is revoked.**

(11) **Item 68 of Table 1 of the Regulation is revoked and the following substituted:**

| | | |
|-----|--|--------|
| 68. | Conseil scolaire de district catholique des Aurores boréales | 36,984 |
|-----|--|--------|

(12) **Item 68 of Table 1 of the Regulation, as remade by subsection 2 (6) of Ontario Regulation 74/06, is revoked.**

4. (1) **Subject to subsection (2), this Regulation comes into force on the day it is filed.**

(2) **Section 3 shall be deemed to have come into force on January 1, 2006.**

RÈGLEMENT DE L'ONTARIO 211/06

pris en application de la

LOI SUR L'ÉDUCATION

pris le 17 mai 2006

déposé le 19 mai 2006

publié sur le site Lois-en-ligne le 23 mai 2006

imprimé dans la *Gazette de l'Ontario* le 3 juin 2006

modifiant le Règl. de l'Ont. 412/00

(Élections aux conseils scolaires de district et représentation au sein de ces conseils)

Remarque : Le Règlement de l'Ontario 412/00 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des règlements qui se trouve sur le site www.lois-en-ligne.gouv.on.ca.

1. Les dispositions 3 et 4 du paragraphe 1 (2) du Règlement de l'Ontario 412/00, telles qu'elles sont prises de nouveau par l'article 1 du Règlement de l'Ontario 74/06, sont abrogées.

2. Le Règlement est modifié par adjonction de la partie suivante :

PARTIE II

ÉLECTIONS ORDINAIRES DE 2006

12. La définition qui suit s'applique à la présente partie.

«date de début» S'entend du lendemain du dépôt du Règlement de l'Ontario 211/06.

13. La partie I s'applique aux élections ordinaires de 2006 et de toutes élections partielles qui se tiennent pendant le mandat des membres des conseils qui débute immédiatement après la tenue de ces élections ordinaires, avec les adaptations suivantes :

1. Malgré le paragraphe 1 (2) :

- i. la mention de la municipalité locale de Sioux Narrows-Nestor Falls ou d'un de ses quartiers est réputée, à l'égard des élections au conseil, une mention de la municipalité ou du quartier dont les limites, fixées au 7 mars 2006, s'appliquent aux fins de ces élections,
- ii. la mention de la municipalité locale de South Algonquin ou d'un de ses quartiers est réputée, à l'égard des élections au Renfrew County District School Board et au Conseil scolaire de district des écoles publiques de langue française n° 59, une mention de la municipalité ou du quartier dont les limites, fixées au 7 mars 2006, s'appliquent aux fins de ces élections.

- 2.** La mention de «Avant le 15 février d'une année d'élections» au paragraphe 2 (1) vaut mention de «Avant la date de début».
- 3.** La mention de «le 15 février d'une année d'élections» au paragraphe 2 (3) vaut mention de «à la date de début».
- 4.** La mention de «le 31 mars d'une année d'élections» aux paragraphes 3 (1) et 4 (1) et à l'article 5 vaut mention de «sept jours après la date de début».
- 5.** La mention de «le 31 mars 2003» au paragraphe 3 (3) vaut mention de «le septième jour qui suit la date de début».
- 6.** La mention de «élections ordinaires de 2003» au paragraphe 3 (3) vaut mention de «élections ordinaires de 2006».
- 7.** La mention de «élections ordinaires de 2000» au paragraphe 3 (3) vaut mention de «élections ordinaires de 2003».
- 8.** La mention de «le 31 mars d'une année d'élections» à l'article 3.1 vaut mention de «le septième jour qui suit la date de début».
- 9.** La mention de «le 3 avril d'une année d'élections» au paragraphe 9 (2) vaut mention de «10 jours après la date de début».
- 10.** La mention de «le 21 avril de l'année des élections» au paragraphe 10 (4) vaut mention de «28 jours après la date de début».
- 11.** La mention de «le 25 avril de l'année des élections» au paragraphe 10 (6) vaut mention de «30 jours après la date de début».
- 12.** La mention de «le 10 juin de l'année des élections» au paragraphe 10 (10) vaut mention de «71 jours après la date de début».

3. (1) Le point 5 du tableau 1 du Règlement est abrogé et remplacé par ce qui suit :

| | | |
|----|---|-------|
| 5. | Keewatin-Patricia District School Board | 6 735 |
|----|---|-------|

(2) Le point 5 du tableau 1 du Règlement, tel qu'il est pris de nouveau par le paragraphe 2 (1) du Règlement de l'Ontario 74/06, est abrogé.

(3) Le point 30 du tableau 1 du Règlement est abrogé et remplacé par ce qui suit :

| | | |
|-----|--------------------------------------|-------|
| 30. | Renfrew County District School Board | 8 073 |
|-----|--------------------------------------|-------|

(4) Le point 30 du tableau 1 du Règlement, tel qu'il est pris de nouveau par le paragraphe 2 (2) du Règlement de l'Ontario 74/06, est abrogé.

(5) Le point 37 du tableau 1 du Règlement est abrogé et remplacé par ce qui suit :

| | | |
|-----|---------------------------------------|-------|
| 37. | Kenora Catholic District School Board | 1 836 |
|-----|---------------------------------------|-------|

(6) Le point 37 du tableau 1 du Règlement, tel qu'il est pris de nouveau par le paragraphe 2 (3) du Règlement de l'Ontario 74/06, est abrogé.

(7) Le point 62 du tableau 1 du Règlement est abrogé et remplacé par ce qui suit :

| | | |
|-----|---|--------|
| 62. | Conseil scolaire de district du Grand Nord de l'Ontario | 63 225 |
|-----|---|--------|

(8) Le point 62 du tableau 1 du Règlement, tel qu'il est pris de nouveau par le paragraphe 2 (4) du Règlement de l'Ontario 74/06, est abrogé.

(9) Le point 64 du tableau 1 du Règlement est abrogé et remplacé par ce qui suit :

| | | |
|-----|---|--------|
| 64. | Conseil scolaire de district des écoles publiques de langue française n° 59 | 37 374 |
|-----|---|--------|

(10) Le point 64 du tableau 1 du Règlement, tel qu'il est pris de nouveau par le paragraphe 2 (5) du Règlement de l'Ontario 74/06, est abrogé.

(11) Le point 68 du tableau 1 du Règlement est abrogé et remplacé par ce qui suit :

| | | |
|-----|--|--------|
| 68. | Conseil scolaire de district catholique des Aurores boréales | 36 984 |
|-----|--|--------|

(12) Le point 68 du tableau 1 du Règlement, tel qu'il est pris de nouveau par le paragraphe 2 (6) du Règlement de l'Ontario 74/06, est abrogé.

4. (1) Sous réserve du paragraphe (2), le présent règlement entre en vigueur le jour de son dépôt.

(2) L'article 3 est réputé être entré en vigueur le 1^{er} janvier 2006.

22/06

NOTE: The Table of Regulations – Legislative History Overview and other tables related to regulations can be found at the e-Laws website (www.e-Laws.gov.on.ca) under Tables. Consolidated regulations may also be found at that site by clicking on Statutes and associated Regulations under Consolidated Law.

REMARQUE : On trouve le Sommaire de l'historique législatif des règlements et d'autres tables liées aux règlements sur le site Web Lois-en-ligne (www.lois-en-ligne.gouv.on.ca) en cliquant sur «Tables». On y trouve également les règlements codifiés en cliquant sur le lien Lois et règlements d'application sous la rubrique «Textes législatifs codifiés».

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2006—06—10

ONTARIO REGULATION 212/06

made under the

TOBACCO TAX ACT

Made: May 3, 2006

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Printed in *The Ontario Gazette*: June 10, 2006

Amending Reg. 1034 of R.R.O. 1990

(General)

Note: Regulation 1034 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Paragraph 4 of subsection 25 (2) of Regulation 1034 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

4. The prescribed rate of interest to be paid or allowed by the Minister to a person under the Act, in respect of a particular day before July 1, 2006, shall be an annual interest rate that is two percentage points lower than the base rate of interest in effect for that day.
- 4.1 The prescribed rate of interest to be paid or allowed by the Minister to a person under the Act, in respect of a particular day after June 30, 2006, shall be an annual interest rate that is three percentage points lower than the base rate of interest in effect for that day.

23/06

ONTARIO REGULATION 213/06

made under the

SMALL BUSINESS DEVELOPMENT CORPORATIONS ACT

Made: May 3, 2006

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Amending Reg. 1020 of R.R.O. 1990

(General)

Note: Regulation 1020 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Paragraph 4 of subsection 6 (2) of Regulation 1020 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

4. The prescribed rate of interest to be paid or allowed by the Minister to a person under the Act, in respect of a particular day before July 1, 2006, shall be an annual interest rate that is two percentage points lower than the base rate of interest in effect for that day.

5. The prescribed rate of interest to be paid or allowed by the Minister to a person under the Act, in respect of a particular day after June 30, 2006, shall be an annual interest rate that is three percentage points lower than the base rate of interest in effect for that day.

23/06

ONTARIO REGULATION 214/06

made under the

THE SUCCESSION DUTY ACT

Made: May 3, 2006

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Amending Reg. 804 of R.R.O. 1970
(General)

Note: Regulation 804 of the Revised Regulations of Ontario, 1970 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1980 and in the Statutes of Ontario, 1991 and the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca. *The Succession Duty Act*, being chapter 449 of the Revised Statutes of Ontario, 1970, as amended, was repealed by *The Succession Duty Repeal Act, 1979* but continues to apply under that Act in respect of deceased persons whose death occurred on or before April 10, 1979.

1. Paragraph 4 of subsection 25 (1.1) of Regulation 804 of the Revised Regulations of Ontario, 1970 is revoked and the following substituted:

4. The prescribed rate of interest to be paid or allowed by the Minister to a person under the Act, in respect of a particular day before July 1, 2006, shall be an annual interest rate that is two percentage points lower than the base rate of interest in effect for that day.
- 4.1 The prescribed rate of interest to be paid or allowed by the Minister to a person under the Act, in respect of a particular day after June 30, 2006, shall be an annual interest rate that is three percentage points lower than the base rate of interest in effect for that day.

23/06

ONTARIO REGULATION 215/06

made under the

RETAIL SALES TAX ACT

Made: May 3, 2006

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Printed in *The Ontario Gazette*: June 10, 2006

Amending Reg. 1013 of R.R.O. 1990
(General)

Note: Regulation 1013 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Paragraph 4 of subsection 21 (2) of Regulation 1013 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

4. The prescribed rate of interest to be paid or allowed by the Minister to a person under the Act, in respect of a particular day before July 1, 2006, shall be an annual interest rate that is two percentage points lower than the base rate of interest in effect for that day.
- 4.1 The prescribed rate of interest to be paid or allowed by the Minister to a person under the Act, in respect of a particular day after June 30, 2006, shall be an annual interest rate that is three percentage points lower than the base rate of interest in effect for that day.

23/06

ONTARIO REGULATION 216/06

made under the

PROVINCIAL LAND TAX ACT

Made: May 3, 2006

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Printed in *The Ontario Gazette*: June 10, 2006

Amending Reg. 944 of R.R.O. 1990
(General)

Note: Regulation 944 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Paragraph 4 of subsection 2 (2) of Regulation 944 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

4. The prescribed rate of interest to be paid or allowed by the Minister to a person under the Act, in respect of a particular day before July 1, 2006, shall be an annual interest rate that is two percentage points lower than the base rate of interest in effect for that day.
- 4.1 The prescribed rate of interest to be paid or allowed by the Minister to a person under the Act, in respect of a particular day after June 30, 2006, shall be an annual interest rate that is three percentage points lower than the base rate of interest in effect for that day.

2. Subsection 2 (3) of the Regulation is amended by striking out “paragraph 4 of subsection (2)” and substituting “paragraph 4 or 4.1 of subsection (2)”.

23/06

ONTARIO REGULATION 217/06

made under the

RACE TRACKS TAX ACT

Made: May 3, 2006

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Amending Reg. 984 of R.R.O. 1990
(General)

Note: Regulation 984 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Paragraph 4 of subsection 3 (2) of Regulation 984 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

4. The prescribed rate of interest to be paid or allowed by the Minister to a person under the Act, in respect of a particular day before July 1, 2006, shall be an annual interest rate that is two percentage points lower than the base rate of interest in effect for that day.
5. The prescribed rate of interest to be paid or allowed by the Minister to a person under the Act, in respect of a particular day after June 30, 2006, shall be an annual interest rate that is three percentage points lower than the base rate of interest in effect for that day.

23/06

ONTARIO REGULATION 218/06

made under the

MINING TAX ACT

Made: May 3, 2006

Filed: May 23, 2006

Published on e-Laws: May 24, 2006

Printed in *The Ontario Gazette*: June 10, 2006Amending Reg. 769 of R.R.O. 1990
(General)

Note: Regulation 769 has previously been amended. Those amendments are listed in the [Table of Regulations – Legislative History Overview](#) which can be found at www.e-Laws.gov.on.ca.

1. Paragraph 4 of subsection 11 (2) of Regulation 769 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

4. The prescribed rate of interest to be paid or allowed by the Minister to a person under the Act, in respect of a particular day before July 1, 2006, shall be an annual interest rate that is two percentage points lower than the base rate of interest in effect for that day.
- 4.1 The prescribed rate of interest to be paid or allowed by the Minister to a person under the Act, in respect of a particular day after June 30, 2006, shall be an annual interest rate that is three percentage points lower than the base rate of interest in effect for that day.

23/06

ONTARIO REGULATION 219/06

made under the

INCOME TAX ACT

Made: May 3, 2006

Filed: May 23, 2006

Published on e-Laws: May 24, 2006

Printed in *The Ontario Gazette*: June 10, 2006Amending O. Reg. 306/04
(Ontario Research Employee Stock Option Overpayment)

Note: Ontario Regulation 306/04 has not previously been amended.

1. (1) Subsection 2 (1) of Ontario Regulation 306/04 is revoked and the following substituted:

(1) The rate of interest referred to in subsection 8.8 (2) of the Act, that is in effect for a particular day before July 1, 2006 in respect of a refund of an individual's Ontario research employee stock option tax overpayment is the daily rate equivalent to an annual interest rate that is two percentage points lower than the base rate of interest in effect for that day.

(1.1) The rate of interest referred to in subsection 8.8 (2) of the Act, that is in effect for a particular day after June 30, 2006 in respect of a refund of an individual's Ontario research employee stock option tax overpayment is the daily rate equivalent to an annual interest rate that is three percentage points lower than the base rate of interest in effect for that day.

(2) Subsection 2 (2) of the Regulation is amended by striking out "Despite subsection (1)" at the beginning and substituting "Despite subsections (1) and (1.1)".

23/06

ONTARIO REGULATION 220/06

made under the

LAND TRANSFER TAX ACT

Made: May 3, 2006

Filed: May 23, 2006

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Printed in *The Ontario Gazette*: June 10, 2006

Amending O. Reg. 310/97

(Rates of Interest)

Note: Ontario Regulation 310/97 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Paragraph 4 of subsection 1 (2) of Ontario Regulation 310/97 is revoked and the following substituted:

4. The prescribed rate of interest to be paid or allowed by the Minister to a person under the Act, in respect of a particular day before July 1, 2006, shall be an annual interest rate that is two percentage points lower than the base rate of interest in effect for that day.
- 4.1 The prescribed rate of interest to be paid or allowed by the Minister to a person under the Act, in respect of a particular day after June 30, 2006, shall be an annual interest rate that is three percentage points lower than the base rate of interest in effect for that day.

23/06

ONTARIO REGULATION 221/06

made under the

GASOLINE TAX ACT

Made: May 3, 2006

Filed: May 23, 2006

Published on e-Laws: May 24, 2006

Printed in *The Ontario Gazette*: June 10, 2006

Amending Reg. 533 of R.R.O. 1990

(General)

Note: Regulation 533 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Paragraph 4 of subsection 8 (2) of Regulation 533 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

4. The prescribed rate of interest to be paid or allowed by the Minister to a person under the Act, in respect of a particular day before July 1, 2006, shall be an annual interest rate that is two percentage points lower than the base rate of interest in effect for that day.

- 4.1 The prescribed rate of interest to be paid or allowed by the Minister to a person under the Act, in respect of a particular day after June 30, 2006, shall be an annual interest rate that is three percentage points lower than the base rate of interest in effect for that day.

23/06

ONTARIO REGULATION 222/06

made under the

FUEL TAX ACT

Made: May 3, 2006

Filed: May 23, 2006

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Amending Reg. 465 of R.R.O. 1990

(Miscellaneous)

Note: Regulation 465 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Paragraph 4 of subsection 8 (1.1) of Regulation 465 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

4. The prescribed rate of interest to be paid or allowed by the Minister to a person under the Act, in respect of a particular day before July 1, 2006, shall be an annual interest rate that is two percentage points lower than the base rate of interest in effect for that day.
- 4.1 The prescribed rate of interest to be paid or allowed by the Minister to a person under the Act, in respect of a particular day after June 30, 2006, shall be an annual interest rate that is three percentage points lower than the base rate of interest in effect for that day.

23/06

ONTARIO REGULATION 223/06

made under the

EMPLOYER HEALTH TAX ACT

Made: May 3, 2006

Filed: May 23, 2006

Published on e-Laws: May 24, 2006

Printed in *The Ontario Gazette*: June 10, 2006

Amending Reg. 319 of R.R.O. 1990

(General)

Note: Regulation 319 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Paragraph 4 of subsection 6 (2) of Regulation 319 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

4. The prescribed rate of interest to be paid or allowed by the Minister to a person under the Act, in respect of a particular day before July 1, 2006, shall be an annual interest rate that is two percentage points lower than the base rate of interest in effect for that day.

- 4.1 The prescribed rate of interest to be paid or allowed by the Minister to a person under the Act, in respect of a particular day after June 30, 2006, shall be an annual interest rate that is three percentage points lower than the base rate of interest in effect for that day.

23/06

ONTARIO REGULATION 224/06

made under the

CORPORATIONS TAX ACT

Made: May 3, 2006
Filed: May 23, 2006
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Printed in *The Ontario Gazette*: June 10, 2006

Amending Reg. 183 of R.R.O. 1990
(General)

Note: Regulation 183 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Paragraph 4 of subsection 503 (2) of Regulation 183 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

4. The prescribed rate of interest to be paid or allowed by the Minister to a person under the Act, in respect of a particular day before July 1, 2006, shall be an annual interest rate that is two percentage points lower than the base rate of interest in effect for that day.
- 4.1 The prescribed rate of interest to be paid or allowed by the Minister to a person under the Act, in respect of a particular day after June 30, 2006, shall be an annual interest rate that is three percentage points lower than the base rate of interest in effect for that day.

23/06

ONTARIO REGULATION 225/06

made under the

ELECTRICITY ACT, 1998

Made: April 26, 2006
Filed: May 23, 2006
Published on e-Laws: May 24, 2006
Printed in *The Ontario Gazette*: June 10, 2006

Amending O. Reg. 124/02
(Taxes and Charges on Hydro-Electric Generating Stations)

Note: Ontario Regulation 124/02 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Paragraph 4 of subsection 16 (1) of Ontario Regulation 124/02 is revoked and the following substituted:

4. The prescribed rate of interest to be paid or allowed to an entity under the Act, in respect of a particular day before July 1, 2006, shall be an annual interest rate that is two percentage points lower than the base rate of interest in effect for that day.

- 4.1 The prescribed rate of interest to be paid or allowed to an entity under the Act, in respect of a particular day after June 30, 2006, shall be an annual interest rate that is three percentage points lower than the base rate of interest in effect for that day.

Made by:

DWIGHT DOUGLAS DUNCAN
Minister of Finance

Date made: April 26, 2006.

23/06

ONTARIO REGULATION 226/06

made under the

ELECTRICITY ACT, 1998

Made: April 26, 2006

Filed: May 23, 2006

Published on e-Laws: May 24, 2006

Printed in *The Ontario Gazette*: June 10, 2006

Amending O. Reg. 494/01

(Debt Retirement Charge — Administration)

Note: Ontario Regulation 494/01 has previously been amended. Those amendments are listed in the Table of Regulations — Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Paragraph 4 of subsection 19 (1) of Ontario Regulation 494/01 is revoked and the following substituted:

4. The prescribed rate of interest to be paid or allowed to an entity under the Act, in respect of a particular day before July 1, 2006, shall be an annual interest rate that is two percentage points lower than the base rate of interest in effect for that day.
- 4.1 The prescribed rate of interest to be paid or allowed to an entity under the Act, in respect of a particular day after June 30, 2006, shall be an annual interest rate that is three percentage points lower than the base rate of interest in effect for that day.

Made by:

DWIGHT DOUGLAS DUNCAN
Minister of Finance

Date made: April 26, 2006.

23/06

ONTARIO REGULATION 227/06

made under the

ELECTRICITY ACT, 1998

Made: April 26, 2006
Filed: May 23, 2006
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Amending O. Reg. 135/02
(Water Power Leases — Niagara Parks Commission)

Note: Ontario Regulation 135/02 has not previously been amended.

1. Paragraph 4 of subsection 10 (1) of Ontario Regulation 135/02 is revoked and the following substituted:

4. The prescribed rate of interest to be paid or allowed to an entity under the Act, in respect of a particular day before July 1, 2006, shall be an annual interest rate that is two percentage points lower than the base rate of interest in effect for that day.
- 4.1 The prescribed rate of interest to be paid or allowed to an entity under the Act, in respect of a particular day after June 30, 2006, shall be an annual interest rate that is three percentage points lower than the base rate of interest in effect for that day.

Made by:

DWIGHT DOUGLAS DUNCAN
Minister of Finance

Date made: April 26, 2006.

23/06

ONTARIO REGULATION 228/06

made under the

COMMERCIAL CONCENTRATION TAX ACT

Made: May 3, 2006
Filed: May 23, 2006
Published on e-Laws: May 24, 2006
Printed in *The Ontario Gazette*: June 10, 2006

Amending Reg. 75 of R.R.O. 1990
(General)

Note: Regulation 75 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Paragraph 4 of subsection 1 (2) of Regulation 75 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

4. The prescribed rate of interest to be paid or allowed by the Minister to a person under the Act, in respect of a particular day before July 1, 2006, shall be an annual interest rate that is two percentage points lower than the base rate of interest in effect for that day.

- 4.1 The prescribed rate of interest to be paid or allowed by the Minister to a person under the Act, in respect of a particular day after June 30, 2006, shall be an annual interest rate that is three percentage points lower than the base rate of interest in effect for that day.

23/06

ONTARIO REGULATION 229/06

made under the

INCOME TAX ACT

Made: April 26, 2006

Filed: May 23, 2006

Published on e-Laws: May 24, 2006

Printed in *The Ontario Gazette*: June 10, 2006

Amending O. Reg. 156/03

(Tax Incentive for Investing in Ontario Jobs and Opportunity Bonds)

Note: Ontario Regulation 156/03 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

- 1. Paragraph 2 of subsection 12 (2) of Ontario Regulation 156/03 is revoked and the following substituted:**
2. The rate of interest payable or to be applied by the Provincial Minister, in respect of a particular date before July 1, 2006, is the annual interest rate that is two percentage points lower than the base rate of interest that is in effect on that date, as determined under paragraphs 4 to 6.
- 2.1 The rate of interest payable or to be applied by the Provincial Minister, in respect of a particular date after June 30, 2006, is the annual interest rate that is three percentage points lower than the base rate of interest that is in effect on that date, as determined under paragraphs 4 to 6.

Made by:

DWIGHT DOUGLAS DUNCAN
Minister of Finance

Date made: April 26, 2006.

23/06

ONTARIO REGULATION 230/06

made under the

HIGHWAY TRAFFIC ACT

Made: May 15, 2006

Filed: May 23, 2006

Published on e-Laws: May 24, 2006

Printed in *The Ontario Gazette*: June 10, 2006

Amending Reg. 604 of R.R.O. 1990

(Parking)

Note: Regulation 604 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

- 1. Paragraph 3 of Schedule 24 of Appendix A to Regulation 604 of the Revised Regulations of Ontario, 1990 is revoked.**

Made by:

HARINDER JEET SINGH TAKHAR
Minister of Transportation

Date made: May 15, 2006.

23/06

ONTARIO REGULATION 231/06
made under the
ONTARIO DISABILITY SUPPORT PROGRAM ACT, 1997

Made: May 17, 2006
Filed: May 25, 2006
Published on e-Laws: May 26, 2006
Printed in *The Ontario Gazette*: June 10, 2006

Amending O. Reg. 222/98
(General)

Note: Ontario Regulation 222/98 has previously been amended. Those amendments are listed in the Table of Regulations — Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Section 17 of Ontario Regulation 222/98 is revoked and the following substituted:

EFFECTIVE DATE OF ELIGIBILITY

17. On or after the completion of an application, the Director shall determine the effective date of eligibility for income support.

2. Subsection 29 (2) of the Regulation is amended by striking out the portion before clause (a) and substituting the following:

(2) Despite subsection (1), the budgetary requirements for a recipient in the month in which the recipient's effective date for eligibility for income support falls, as determined by the Director under section 20 of the Act,

.

3. Section 57 of the Regulation is amended by adding the following paragraphs:

- 5.** Subject to paragraph 6, a decision of the Director that the effective date of an applicant's eligibility for income support is on or before the day on which the application is completed.
- 6.** If an applicant is a recipient of basic financial assistance under the *Ontario Works Act, 1997*, a decision of the Director that the effective date of an applicant's eligibility for income support is on or before the first day of the month following the month in which the application is complete.

RÈGLEMENT DE L'ONTARIO 231/06

pris en application de la

LOI DE 1997 SUR LE PROGRAMME ONTARIEN DE SOUTIEN AUX PERSONNES HANDICAPÉES

pris le 17 mai 2006

déposé le 25 mai 2006

publié sur le site Lois-en-ligne le 26 mai 2006

imprimé dans la *Gazette de l'Ontario* le 10 juin 2006

modifiant le Règl. de l'Ont. 222/98

(Dispositions générales)

Remarque : Le Règlement de l'Ontario 222/98 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des règlements qui se trouve sur le site www.lois-en-ligne.gouv.on.ca.

1. L'article 17 du Règlement de l'Ontario 222/98 est abrogé et remplacé par ce qui suit :**DATE DE PRISE D'EFFET DE L'ADMISSIBILITÉ**

17. Le directeur détermine la date de prise d'effet de l'admissibilité au soutien du revenu le jour où la demande est complète ou par la suite.

2. Le paragraphe 29 (2) du Règlement est modifié par substitution de ce qui suit au passage qui précède l'alinéa a) :

(2) Malgré le paragraphe (1), les besoins matériels d'un bénéficiaire au cours du mois dans lequel tombe la date de prise d'effet de son admissibilité au soutien du revenu, déterminée par le directeur en application de l'article 20 de la Loi :

.

3. L'article 57 du Règlement est modifié par adjonction des dispositions suivantes :

5. Sous réserve de la disposition 6, la décision du directeur selon laquelle la date de prise d'effet de l'admissibilité de l'auteur d'une demande au soutien du revenu tombe le jour où la demande est complète ou avant ce jour.

6. Si l'auteur d'une demande est un bénéficiaire de l'aide financière de base prévue par la *Loi de 1997 sur le programme Ontario au travail*, la décision du directeur selon laquelle la date de prise d'effet de son admissibilité au soutien du revenu tombe le premier jour du mois qui suit le mois au cours duquel la demande est complète ou avant ce jour.

23/06

ONTARIO REGULATION 232/06

made under the

EDUCATION ACT

Made: May 25, 2006

Filed: May 25, 2006

Published on e-Laws: May 26, 2006

Printed in *The Ontario Gazette*: June 10, 2006

Amending O. Reg. 400/98

(Tax Matters — Tax Rates for School Purposes)

Note: Ontario Regulation 400/98 has previously been amended. Those amendments are listed in the Table of Regulations — Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Table 17 of Ontario Regulation 400/98 is amended by striking out,

| | | | |
|------------------|------------|------------|------------|
| Timmins, City of | 0.02296319 | 0.02965867 | 0.02238978 |
|------------------|------------|------------|------------|

and substituting the following:

| | | | |
|------------------|------------|------------|------------|
| Timmins, City of | 0.01872916 | 0.02965867 | 0.02238978 |
|------------------|------------|------------|------------|

Made by:

GREGORY SORBARA
Minister of Finance

Date made: May 25, 2006.

23/06

ONTARIO REGULATION 233/06

made under the

EDUCATION ACT

Made: May 25, 2006

Filed: May 25, 2006

Published on e-Laws: May 26, 2006

Printed in *The Ontario Gazette*: June 10, 2006

Amending O. Reg. 400/98
(Tax Matters — Tax Rates for School Purposes)

Note: Ontario Regulation 400/98 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Section 9.1 of Ontario Regulation 400/98 is amended by adding the following subsections:

(2) Despite subsection 9 (8.1), the tax rates for school purposes for the purposes of section 257.7 of the Act for 2006 for the Region of Durham are as follows:

1. For property in the commercial property class, 0.01487553.
2. For property in the industrial property class, 0.01921809.
3. For property in the large industrial property class, 0.02171156.
4. For property in the pipe line class, 0.01586577.

(3) Subsection 9 (10) does not apply in determining the annual tax rates for school purposes under subsection (2).

(4) Subsection 9 (12) applies with necessary modifications for the purposes of subsection (2).

2. (1) Table 17 of the Regulation is amended by striking out,

| | | | |
|-------------------|------------|------------|------------|
| Durham, Region of | 0.01487553 | 0.02057314 | 0.01586577 |
|-------------------|------------|------------|------------|

(2) Table 17 of the Regulation is amended by striking out,

| | | | |
|--------------------|------------|------------|------------|
| Niagara, Region of | 0.01592891 | 0.02791562 | 0.01532030 |
|--------------------|------------|------------|------------|

and substituting the following:

| | | | |
|--------------------|------------|------------|------------|
| Niagara, Region of | 0.01592891 | 0.02634429 | 0.01532030 |
|--------------------|------------|------------|------------|

(3) Table 17 of the Regulation is amended by striking out,

| | | | |
|--------------------|------------|------------|------------|
| North Bay, City of | 0.02299435 | 0.01864415 | 0.01289792 |
|--------------------|------------|------------|------------|

and substituting the following:

| | | | |
|--------------------|------------|------------|------------|
| North Bay, City of | 0.02275064 | 0.01864415 | 0.01289792 |
|--------------------|------------|------------|------------|

(4) Table 17 of the Regulation is amended by striking out,

| | | | |
|------------------|------------|------------|------------|
| Windsor, City of | 0.01825626 | 0.03043873 | 0.01864664 |
|------------------|------------|------------|------------|

and substituting the following:

| | | | |
|------------------|------------|------------|------------|
| Windsor, City of | 0.01804751 | 0.02885002 | 0.01864664 |
|------------------|------------|------------|------------|

Made by:

GREGORY SORBARA
Minister of Finance

Date made: May 25, 2006.

23/06

ONTARIO REGULATION 234/06

made under the

MUNICIPAL ACT, 2001

Made: May 25, 2006

Filed: May 25, 2006

Published on e-Laws: May 26, 2006

Printed in *The Ontario Gazette*: June 10, 2006

Amending O. Reg. 385/98

(Tax Matters — Transition Ratios and Average Transition Ratios)

Note: Ontario Regulation 385/98 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Ontario Regulation 385/98 is amended by adding the following section:

6. (1) The transition ratios set out in Table 5 are prescribed, for the purposes of subsection 308 (10) of the Act, for the municipalities set out in Table 5 for 2006.

(2) If no transition ratio is set out in Table 3 for a property class for a municipality, the upper limit of the allowable range for tax ratios prescribed for the property class is prescribed as the transition ratio for the purposes of subsections 308 (10) and (11) of the Act.

2. The Regulation is amended by adding the following Table:

TABLE 5
TRANSITION RATIOS AND AVERAGE TRANSITION RATIOS FOR 2006

| Municipality | Transition ratios | | | | | | | | | Average transition ratios | |
|--|----------------------------------|---------------------------|---------------------------|-------------------------|--------------------------------------|--------------------------------|--------------------------------|---|---------------------------------|-----------------------------|-----------------------------|
| | Multi-residential property class | Commercial property class | Industrial property class | Pipeline property class | New multi-residential property class | Office building property class | Shopping centre property class | Parking lots and vacant land property class | Large Industrial property class | Commercial property classes | Industrial property classes |
| Barrie, City of | 1.099957 | 1.433126 | 1.516328 | 1.103939 | | | | | | | |
| Belleville, City of | 2.523611 | 1.937659 | 2.975054 | 1.234392 | | | | | | | |
| Calvin, Township of | 1.100000 | 1.522699 | 3.883049 | 2.512573 | | | | | | | |
| Carling, Township of | 1.100000 | 1.404996 | 2.193659 | | | | | | | | |
| Espanola, Town of | 2.002931 | 1.573558 | 1.885146 | 1.210970 | | | 2.191775 | | 3.043901 | 1.602157 | 2.974554 |
| Greater Sudbury, City of | 2.059100 | 1.720574 | 2.559614 | 1.475204 | 1.000000 | | | | 2.901185 | | 2.772192 |
| Grey, County of | 1.441197 | 1.306940 | 1.858187 | 0.906848 | | | | | | | |
| Kawartha Lakes, City of | 1.993090 | 1.312881 | 1.911851 | 1.927555 | | | | | | | |
| Kingston, City of | 2.738939 | 2.022091 | 2.654704 | 1.172800 | 1.000000 | | | | | | |
| London, City of | 2.148689 | 2.097318 | 2.770447 | 1.740974 | | | | | | | |
| Machin, Township of | 0.934908 | 1.612918 | 1.130188 | 1.395561 | | | | | | | |
| McKellar, Township of | 1.100000 | 1.594929 | 1.740434 | 1.100000 | | | | | | | |
| Mississauga, City of | 1.778781 | 1.409816 | 1.570762 | 1.151172 | | | | | | | |
| Niagara, Region of | 2.060000 | 1.758601 | 3.177073 | 1.634647 | 1.000000 | | | | 3.177073 | | 3.177073 |
| Orillia, City of | 1.674223 | 2.033653 | 1.731817 | 2.571826 | 1.100000 | | | | | | |
| Ottawa, City of | 1.844983 | 2.175369 | 2.746772 | 1.543789 | 1.000000 | 2.628093 | 1.809481 | 1.425346 | 2.358772 | 2.290024 | 2.571873 |
| Owen Sound, City of | 2.642374 | 2.416338 | 2.965671 | 3.571443 | | 2.193198 | 2.875220 | 1.224253 | 5.119006 | 2.437767 | 4.360762 |
| Parry Sound, Town of | 1.514485 | 1.664617 | 1.516235 | 0.884919 | 1.000000 | | | | | | |
| Pembroke, City of | 1.873392 | 2.061054 | 4.654183 | 1.512964 | | | | | | | |
| Prescott and Russell, United Counties of | 1.908930 | 1.368270 | 2.831812 | 1.255723 | | | | | 3.805304 | | 3.085067 |
| Red Lake, Municipality of | 1.281321 | 1.654894 | 2.603641 | | | | | | 2.713695 | | 2.696406 |
| St. Thomas, City of | 2.498704 | 1.947493 | 2.228073 | 1.244122 | | | | | 2.677404 | | 2.544354 |
| Simcoe, County of | 1.620336 | 1.310896 | 1.602107 | 1.484931 | | | | | | | |

| Municipality | Transition ratios | | | | | | | | | Average transition ratios | |
|---|----------------------------------|---------------------------|---------------------------|-------------------------|--------------------------------------|--------------------------------|--------------------------------|---|---------------------------------|-----------------------------|-----------------------------|
| | Multi-residential property class | Commercial property class | Industrial property class | Pipeline property class | New multi-residential property class | Office building property class | Shopping centre property class | Parking lots and vacant land property class | Large Industrial property class | Commercial property classes | Industrial property classes |
| Stormont, Dundas and Glengarry, County of | 2.586100 | 1.537800 | 1.876900 | 1.334000 | | | | | 3.768700 | | 2.455664 |
| Strong, Township of | 1.000000 | 1.100000 | 1.100000 | 0.816426 | | | | | | | |

Made by:

GREGORY SORBARA
Minister of Finance

Date made: May 25, 2006.

23/06

ONTARIO REGULATION 235/06

made under the

HIGHWAY TRAFFIC ACT

Made: April 6, 2006

Filed: May 25, 2006

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Printed in *The Ontario Gazette*: June 10, 2006

Amending Reg. 619 of R.R.O. 1990
(Speed Limits)

Note: Regulation 619 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. (1) Paragraph 7 of Part 2 of Schedule 13 to Regulation 619 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

District of Cochrane — Twp. of Fauquier-Strickland — Twp. of Moonbeam

7. That part of the King's Highway known as No. 11 in the Territorial District of Cochrane lying between a point situate 380 metres measured westerly from its intersection with the easterly abutment of the bridge over the Groundhog River in the Township of Fauquier-Strickland and a point situate 605 metres measured easterly from the centre line of the roadway known as Leonard Avenue in the Township of Moonbeam.

(2) Paragraph 18 of Part 2 of Schedule 13 to the Regulation is revoked and the following substituted:

District of Cochrane — Town of Smooth Rock Falls — Twp. of Fauquier-Strickland

18. That part of the King's Highway known as No. 11 in the Territorial District of Cochrane lying between a point situate 595 metres measured westerly from its intersection with the easterly abutment of the Mattagami River Bridge in the Town of Smooth Rock Falls and a point situate 775 metres measured easterly from its intersection with the line between Lots 23 and 24 in Concession 12 in the Township of Fauquier-Strickland.

(3) Part 4 of Schedule 13 to the Regulation is amended by adding the following paragraphs:

District of Cochrane — Twp. of Fauquier-Strickland

26. That part of the King's Highway known as No. 11 in the Township of Fauquier-Strickland in the Territorial District of Cochrane lying between a point situate 775 metres measured easterly from its intersection with the line between Lots 23 and 24 in Concession 12 and a point situate 275 metres measured easterly from its intersection with the line between Lots 23 and 24 in Concession 12.
27. That part of the King's Highway known as No. 11 in the Township of Fauquier-Strickland in the Territorial District of Cochrane lying between a point situate 120 metres measured easterly from its intersection with the easterly limit of the bridge over the Groundhog River and a point situate 380 metres measured westerly from its intersection with the easterly abutment of the bridge over the Groundhog River.

Made by:

HARINDER JEET SINGH TAKHAR
Minister of Transportation

Date made: April 6, 2006.

23/06

NOTE: The Table of Regulations – Legislative History Overview and other tables related to regulations can be found at the e-Laws website (www.e-Laws.gov.on.ca) under Tables. Consolidated regulations may also be found at that site by clicking on Statutes and associated Regulations under Consolidated Law.

REMARQUE : On trouve le Sommaire de l'historique législatif des règlements et d'autres tables liées aux règlements sur le site Web Lois-en-ligne (www.lois-en-ligne.gouv.on.ca) en cliquant sur «Tables». On y trouve également les règlements codifiés en cliquant sur le lien Lois et règlements d'application sous la rubrique «Textes législatifs codifiés».

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2006—06—17

ONTARIO REGULATION 236/06 made under the LAND REGISTRATION REFORM ACT

Made: February 9, 2006
Filed: May 29, 2006
Published on e-Laws: May 29, 2006
Printed in *The Ontario Gazette*: June 17, 2006

Amending O. Reg. 16/99
(Automated System)

Note: Ontario Regulation 16/99 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. The Table to subsection 3 (1) of Ontario Regulation 16/99 is amended by adding the following item:

| Column 1 | Column 2 |
|-----------------|--------------|
| Lennox (No. 29) | May 29, 2006 |

Made by:

GERRY PHILLIPS
Minister of Government Services

Date made: February 9, 2006.

24/06

ONTARIO REGULATION 237/06

made under the
EDUCATION ACT

Made: May 18, 2005
Filed: May 30, 2006
Published on e-Laws: May 31, 2006
Printed in *The Ontario Gazette*: June 17, 2006

Revoking O. Reg. 274/01
(Secondary School Teaching Assignments)

Note: Ontario Regulation 274/01 has not previously been amended.

1. Ontario Regulation 274/01 is revoked.

RÈGLEMENT DE L'ONTARIO 237/06

pris en application de la

LOI SUR L'ÉDUCATION

pris le 18 mai 2005
déposé le 30 mai 2006
publié sur le site Lois-en-ligne le 31 mai 2006
imprimé dans la *Gazette de l'Ontario* le 17 juin 2006

abrogeant le Règl. de l'Ont. 274/01
(Affectations des enseignants des écoles secondaires)

Remarque : Le Règlement de l'Ontario 274/01 n'a pas été modifié antérieurement.

1. Le Règlement de l'Ontario 274/01 est abrogé.

24/06

ONTARIO REGULATION 238/06

made under the

EDUCATION ACT

Made: May 29, 2006
Filed: May 30, 2006
Published on e-Laws: May 31, 2006
Printed in *The Ontario Gazette*: June 17, 2006

Revoking O. Reg. 276/01
(Increase In Secondary School Class Size By Board Resolution)

Note: Ontario Regulation 276/01 has not previously been amended.

1. Ontario Regulation 276/01 is revoked.**RÈGLEMENT DE L'ONTARIO 238/06**

pris en application de la

LOI SUR L'ÉDUCATION

pris le 29 mai 2006
déposé le 30 mai 2006
publié sur le site Lois-en-ligne le 31 mai 2006
imprimé dans la *Gazette de l'Ontario* le 17 juin 2006

abrogeant le Règl. de l'Ont. 276/01
(Augmentation de l'effectif des classes des écoles secondaires par résolution du conseil)

Remarque : Le Règlement de l'Ontario 276/01 n'a pas été modifié antérieurement.

1. Le Règlement de l'Ontario 276/01 est abrogé.

Made by:
Pris par :

La ministre de l'Éducation,

SANDRA PUPATELLO
Minister of Education

Date made: May 29, 2006.
Pris le : 29 mai 2006.

24/06

ONTARIO REGULATION 239/06

made under the

EDUCATION ACT

Made: May 29, 2006
Filed: May 30, 2006
Published on e-Laws: May 31, 2006
Printed in *The Ontario Gazette*: June 17, 2006

REVOKING VARIOUS REGULATIONS

Note: Ontario Regulations 495/97 and 496/97 have not previously been amended.

1. The following regulations are revoked:

- 1. Ontario Regulation 495/97.**
- 2. Ontario Regulation 496/97.**

RÈGLEMENT DE L'ONTARIO 239/06

pris en application de la

LOI SUR L'ÉDUCATION

pris le 29 mai 2006
déposé le 30 mai 2006
publié sur le site Lois-en-ligne le 31 mai 2006
imprimé dans la *Gazette de l'Ontario* le 17 juin 2006

ABROGATION DE DIVERS RÈGLEMENTS

Remarque : Les Règlements de l'Ontario 495/97 et 496/97 n'ont pas été modifiés antérieurement.

1. Les règlements suivants sont abrogés :

- 1. Le Règlement de l'Ontario 495/97.**
- 2. Le Règlement de l'Ontario 496/97.**

Made by:
Pris par :

La ministre de l'Éducation,

SANDRA PUPATELLO
Minister of Education

Date made: May 29, 2006.
Pris le : 29 mai 2006.

24/06

ONTARIO REGULATION 240/06

made under the

DRUG INTERCHANGEABILITY AND DISPENSING FEE ACT

Made: May 29, 2006
Filed: May 31, 2006
Published on e-Laws: May 31, 2006
Printed in *The Ontario Gazette*: June 17, 2006

Amending Reg. 935 of R.R.O. 1990
(General)

Note: Regulation 935 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Section 3 of Regulation 935 of the Revised Regulations of Ontario, 1990 is amended by adding the following paragraph:

8. Amendments dated May 31, 2006.

2. This Regulation comes into force on the later of,

(a) May 31, 2006; and

(b) the day that is 10 days after the day it is filed, where the following are not included in calculating the 10 days:

(i) the day of filing, and

(ii) Saturdays and Sundays and other holidays within the meaning of the *Interpretation Act*.

Made by:

GEORGE SMITHERMAN
Minister of Health and Long-Term Care

Date made: May 29, 2006.

24/06

ONTARIO REGULATION 241/06

made under the

ONTARIO DRUG BENEFIT ACT

Made: May 29, 2006

Filed: May 31, 2006

Published on e-Laws: May 31, 2006

Printed in *The Ontario Gazette*: June 17, 2006

Amending O. Reg. 201/96

(General)

Note: Ontario Regulation 201/96 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Section 7.2 of Ontario Regulation 201/96 is amended by adding the following paragraph:

8. Amendments dated May 31, 2006.

2. This Regulation comes into force on the later of,

(a) May 31, 2006; and

(b) the day that is 10 days after the day it is filed, where the following are not included in calculating the 10 days:

(i) the day of filing, and

(ii) Saturdays and Sundays and other holidays within the meaning of the *Interpretation Act*.

Made by:

GEORGE SMITHERMAN
Minister of Health and Long-Term Care

Date made: May 29, 2006.

24/06

ONTARIO REGULATION 242/06

made under the

PROVINCIAL OFFENCES ACT

Made: May 30, 2006

Filed: May 31, 2006

Published on e-Laws: June 1, 2006

Printed in *The Ontario Gazette*: June 17, 2006

Amending Reg. 950 of R.R.O. 1990

(Proceedings Commenced by Certificate of Offence)

Note: Regulation 950 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Schedule 83.0.1 of Regulation 950 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

SCHEDULE 83.0.1

Smoke-Free Ontario Act

| Item | Column 1 | Column 2 |
|------|--|--------------------|
| 1. | Sell tobacco to a person who is less than 19 years old | subsection 3 (1) |
| 2. | Supply tobacco to a person who is less than 19 years old | subsection 3 (1) |
| 3. | Sell tobacco to a person who appears to be less than 25 years old | subsection 3 (2) |
| 4. | Supply tobacco to a person who appears to be less than 25 years old | subsection 3 (2) |
| 5. | Present identification not lawfully issued to holder | subsection 3 (6) |
| 6. | Display tobacco products by means of a countertop display | clause 3.1 (1) (a) |
| 7. | Permit display of tobacco products by means of a countertop display | clause 3.1 (1) (a) |
| 8. | Display tobacco products in manner that permits handling before purchase | clause 3.1 (1) (b) |
| 9. | Permit display of tobacco products in manner that permits handling before purchase | clause 3.1 (1) (b) |
| 10. | Display of cigarettes other than in individual packages | subsection 3.1 (2) |
| 11. | Permit display of cigarettes other than in individual packages | subsection 3.1 (2) |
| 12. | Promote sale of tobacco products in place where sold or offered for sale | subsection 3.1 (3) |
| 13. | Sell tobacco in a designated place | subsection 4 (1) |
| 14. | Sell improperly packaged tobacco | clause 5 (1) (a) |
| 15. | Offer to sell improperly packaged tobacco | clause 5 (1) (a) |
| 16. | Distribute improperly packaged tobacco | clause 5 (1) (a) |
| 17. | Offer to distribute improperly packaged tobacco | clause 5 (1) (a) |
| 18. | Sell tobacco without a health warning on package | clause 5 (1) (b) |
| 19. | Offer to sell tobacco without a health warning on package | clause 5 (1) (b) |
| 20. | Distribute tobacco without a health warning on package | clause 5 (1) (b) |
| 21. | Offer to distribute tobacco without a health warning on package | clause 5 (1) (b) |
| 22. | Sell cigarettes in packages of less than 20 | subsection 5 (2) |
| 23. | Offer to sell cigarettes in packages of less than 20 | subsection 5 (2) |
| 24. | Distribute cigarettes in packages of less than 20 | subsection 5 (2) |
| 25. | Offer to distribute cigarettes in packages of less than 20 | subsection 5 (2) |
| 26. | Failure to post age restriction and health warning signs | section 6 |
| 27. | Failure to post identification sign | section 6 |
| 28. | Permit vending machines for selling or dispensing tobacco | subsection 7 (1) |
| 29. | Failure to submit reports | section 8 |
| 30. | Smoke tobacco in enclosed public place | subsection 9 (1) |
| 31. | Smoke tobacco in enclosed workplace | subsection 9 (1) |
| 32. | Hold lighted tobacco in enclosed public place | subsection 9 (1) |
| 33. | Hold lighted tobacco in enclosed workplace | subsection 9 (1) |
| 34. | Smoke tobacco in prohibited place or area | subsection 9 (2) |
| 35. | Hold lighted tobacco in prohibited place or area | subsection 9 (2) |
| 36. | Failure of employer to ensure compliance with section | clause 9 (3) (a) |
| 37. | Failure of employer to give notice that smoking prohibited | clause 9 (3) (b) |
| 38. | Failure of employer to ensure no ashtrays or similar equipment | clause 9 (3) (d) |
| 39. | Employer allowing person smoking or holding lighted tobacco to remain | clause 9 (3) (e) |
| 40. | Failure of employer to ensure compliance with other prescribed obligations | clause 9 (3) (f) |
| 41. | Failure of proprietor to ensure compliance with section | clause 9 (6) (a) |
| 42. | Failure of proprietor to give notice that smoking prohibited | clause 9 (6) (b) |
| 43. | Failure of proprietor to ensure no ashtrays or similar equipment | clause 9 (6) (d) |
| 44. | Proprietor allowing person smoking or holding lighted tobacco to remain | clause 9 (6) (e) |
| 45. | Failure of proprietor to ensure compliance with other prescribed obligations | clause 9 (6) (f) |
| 46. | Failure to post "no smoking" signs where smoking is prohibited | section 10 |
| 47. | Fail to provide an indoor area for traditional Aboriginal use | subsection 13 (4) |

2. This Regulation comes into force on the later of May 31, 2006, and the day on which it is filed.

RÈGLEMENT DE L'ONTARIO 242/06

pris en application de la

LOI SUR LES INFRACTIONS PROVINCIALES

pris le 30 mai 2006

déposé le 31 mai 2006

publié sur le site Lois-en-ligne le 1^{er} juin 2006

imprimé dans la *Gazette de l'Ontario* le 17 juin 2006

modifiant le Règl. 950 des R.R.O. de 1990

(Instances introduites au moyen du dépôt d'un procès-verbal d'infraction)

Remarque : Le Règlement 950 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des règlements qui se trouve sur le site www.lois-en-ligne.gouv.on.ca.

1. L'annexe 83.0.1 du Règlement 950 des Règlements refondus de l'Ontario de 1990 est abrogée et remplacée par ce qui suit :

ANNEXE 83.0.1

Loi favorisant un Ontario sans fumée

| Numéro | Colonne 1 | Colonne 2 |
|--------|--|--------------------|
| 1. | Vendre du tabac à quiconque est âgé de moins de 19 ans | paragraphe 3 (1) |
| 2. | Fournir du tabac à quiconque est âgé de moins de 19 ans | paragraphe 3 (1) |
| 3. | Vendre du tabac à quiconque semble avoir moins de 25 ans | paragraphe 3 (2) |
| 4. | Fournir du tabac à quiconque semble avoir moins de 25 ans | paragraphe 3 (2) |
| 5. | Présenter une forme d'identification qui n'a pas été légalement délivrée au détenteur | paragraphe 3 (6) |
| 6. | Exposer des produits du tabac au moyen d'un étalage de comptoir | alinéa 3.1 (1) a) |
| 7. | Permettre que soient exposés des produits du tabac au moyen d'un étalage de comptoir | alinéa 3.1 (1) a) |
| 8. | Exposer des produits du tabac de façon à ce que l'acheteur puisse les prendre avant de les acheter | alinéa 3.1 (1) b) |
| 9. | Permettre que soient exposés des produits du tabac de façon à ce que l'acheteur puisse les prendre avant de les acheter | alinéa 3.1 (1) b) |
| 10. | Exposer des cigarettes autrement que sous forme de paquets individuels | paragraphe 3.1 (2) |
| 11. | Permettre que soient exposées des cigarettes autrement que sous forme de paquets individuels | paragraphe 3.1 (2) |
| 12. | Promouvoir la vente de produits du tabac dans un endroit où de tels produits sont vendus ou mis en vente | paragraphe 3.1 (3) |
| 13. | Vendre du tabac dans un endroit désigné | paragraphe 4 (1) |
| 14. | Vendre du tabac dont l'emballage n'est pas régulier | alinéa 5 (1) a) |
| 15. | Mettre en vente du tabac dont l'emballage n'est pas régulier | alinéa 5 (1) a) |
| 16. | Distribuer du tabac dont l'emballage n'est pas régulier | alinéa 5 (1) a) |
| 17. | Offrir de distribuer du tabac dont l'emballage n'est pas régulier | alinéa 5 (1) a) |
| 18. | Vendre du tabac dont l'emballage ne porte pas de mise en garde en matière de santé | alinéa 5 (1) b) |
| 19. | Mettre en vente du tabac dont l'emballage ne porte pas de mise en garde en matière de santé | alinéa 5 (1) b) |
| 20. | Distribuer du tabac dont l'emballage ne porte pas de mise en garde en matière de santé | alinéa 5 (1) b) |
| 21. | Offrir de distribuer du tabac dont l'emballage ne porte pas de mise en garde en matière de santé | alinéa 5 (1) b) |
| 22. | Vendre des paquets de moins de 20 cigarettes | paragraphe 5 (2) |
| 23. | Mettre en vente des paquets de moins de 20 cigarettes | paragraphe 5 (2) |
| 24. | Distribuer des paquets de moins de 20 cigarettes | paragraphe 5 (2) |
| 25. | Offrir de distribuer des paquets de moins de 20 cigarettes | paragraphe 5 (2) |
| 26. | Omettre de poser des affiches relatives à la limite d'âge et des affiches comportant une mise en garde en matière de santé | article 6 |
| 27. | Omettre de poser une affiche relative à l'identification | article 6 |
| 28. | Permettre la présence d'un distributeur automatique pour la vente ou la fourniture de tabac | paragraphe 7 (1) |
| 29. | Omettre de présenter des rapports | article 8 |
| 30. | Fumer du tabac dans un lieu public clos | paragraphe 9 (1) |

| Numéro | Colonne 1 | Colonne 2 |
|--------|---|-------------------|
| 31. | Fumer du tabac dans un lieu de travail clos | paragraphe 9 (1) |
| 32. | Tenir du tabac allumé dans un lieu public clos | paragraphe 9 (1) |
| 33. | Tenir du tabac allumé dans un lieu de travail clos | paragraphe 9 (1) |
| 34. | Fumer du tabac dans un endroit où cela est interdit | paragraphe 9 (2) |
| 35. | Tenir du tabac allumé dans un endroit où cela est interdit | paragraphe 9 (2) |
| 36. | Omettre, dans le cas de l'employeur, d'assurer le respect de l'article | alinéa 9 (3) a) |
| 37. | Omettre, dans le cas de l'employeur, de donner avis qu'il est interdit de fumer | alinéa 9 (3) b) |
| 38. | Omettre, dans le cas de l'employeur, de faire en sorte qu'il ne demeure aucun cendrier ni objet semblable | alinéa 9 (3) d) |
| 39. | Permettre, dans le cas de l'employeur, à quiconque fume du tabac ou tient du tabac allumé de demeurer sur les lieux | alinéa 9 (3) e) |
| 40. | Omettre, dans le cas de l'employeur, d'assurer le respect d'autres obligations prescrites | alinéa 9 (3) f) |
| 41. | Omettre, dans le cas du propriétaire, d'assurer le respect de l'article | alinéa 9 (6) a) |
| 42. | Omettre, dans le cas du propriétaire, de donner avis qu'il est interdit de fumer | alinéa 9 (6) b) |
| 43. | Omettre, dans le cas du propriétaire, de faire en sorte qu'il ne demeure aucun cendrier ni objet semblable | alinéa 9 (6) d) |
| 44. | Permettre, dans le cas de du propriétaire, à quiconque fume du tabac ou tient du tabac allumé de demeurer sur les lieux | alinéa 9 (6) e) |
| 45. | Omettre, dans le cas du propriétaire, d'assurer le respect d'autres obligations prescrites | alinéa 9 (6) f) |
| 46. | Omettre de poser des affiches indiquant qu'il est interdit de fumer dans un endroit où c'est le cas | article 10 |
| 47. | Omettre de réserver une zone-fumeurs à l'intérieur aux fins d'une activité autochtone traditionnelle | paragraphe 13 (4) |

2. Le présent règlement entre en vigueur le dernier en date du 31 mai 2006 et du jour de son dépôt.

24/06

ONTARIO REGULATION 243/06

made under the

EDUCATION ACT

Made: May 30, 2006

Filed: May 31, 2006

Published on e-Laws: June 1, 2006

Printed in *The Ontario Gazette*: June 17, 2006

Revoking O. Reg. 461/97
(Pupil Representation on Boards)

Note: Ontario Regulation 461/97 has not previously been amended.

1. Ontario Regulation 461/97 is revoked.

2. This Regulation comes into force on the later of the following dates:

1. The date section 6 of the *Education Statute Law Amendment Act (Student Performance)*, 2006 comes into force.
2. The date this Regulation is filed.

RÈGLEMENT DE L'ONTARIO 243/06

pris en application de la

LOI SUR L'ÉDUCATION

pris le 30 mai 2006

déposé le 31 mai 2006

publié sur le site Lois-en-ligne le 1^{er} juin 2006

imprimé dans la *Gazette de l'Ontario* le 17 juin 2006

abrogeant le Règl. de l'Ont. 461/97

(Représentation des élèves au sein des conseils)

Remarque: Le Règlement de l'Ontario 461/97 n'a pas été modifié antérieurement.

1. Le Règlement de l'Ontario 461/97 est abrogé.
2. Le présent règlement entre en vigueur à celle des dates suivantes qui est postérieure à l'autre :
 1. La date d'entrée en vigueur de l'article 6 de la *Loi de 2006 modifiant des lois en ce qui concerne l'éducation (rendement des élèves)*.
 2. La date de dépôt du présent règlement.

24/06

ONTARIO REGULATION 244/06

made under the

APPRENTICESHIP AND CERTIFICATION ACT, 1998

Made: May 30, 2006

Filed: May 31, 2006

Published on e-Laws: June 1, 2006

Printed in *The Ontario Gazette*: June 17, 2006

Amending O. Reg. 573/99

(General)

Note: Ontario Regulation 573/99 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Subsection 6 (1) of Ontario Regulation 573/99 is amended by adding the following paragraph:
 4. Tractor-trailer commercial driver.
2. This Regulation comes into force on June 15, 2006.

Made by:

CHRISTOPHER BENTLEY
Minister of Training, Colleges and Universities

Date made: May 30, 2006.

24/06

ONTARIO REGULATION 245/06

made under the

PERSONAL HEALTH INFORMATION PROTECTION ACT, 2004

Made: May 30, 2006

Filed: June 1, 2006

Published on e-Laws: June 2, 2006

Printed in *The Ontario Gazette*: June 17, 2006Amending O. Reg. 329/04
(General)

Note: Ontario Regulation 329/04 has not previously been amended.

1. Section 18 of Ontario Regulation 329/04 is amended by adding the following subsection:

(8) An entity that is a prescribed entity for the purposes of subsection 45 (1) of the Act may disclose the information it receives under subsection 45 (1) of the Act to the Minister and any person designated by the Minister for the purpose of developing and maintaining an electronic master person index for the Province of Ontario's health sector to accurately identify and organize records of personal health information about an individual.

2. The Regulation is amended by adding the following section:**Sunnybrook Health Sciences Centre Foundation**

25.1 The Sunnybrook Health Sciences Centre Foundation may disclose personal health information of an individual that it receives from a health information custodian to the Women's College Hospital Foundation for the purpose of fundraising activities undertaken for a charitable or philanthropic purpose related to the operations of the Women's College Hospital if the following requirements are satisfied:

1. The only information disclosed is the individual's name and mailing address.
2. The Sunnybrook Health Sciences Centre Foundation has provided to the individual a brief statement that, unless the individual requests otherwise, the individual's name and mailing address may be disclosed to the Women's College Hospital Foundation for the purpose of fundraising activities undertaken for a charitable or philanthropic purpose related to the operations of the Women's College Hospital.
3. The statement provided in accordance with paragraph 2 contains information on one or more simple ways by which the individual may request that the Sunnybrook Health Sciences Centre Foundation not disclose the individual's name and mailing address to the Women's College Hospital Foundation.
4. The individual has not requested that his or her name and mailing address not be disclosed to the Women's College Hospital Foundation.
5. The disclosure by the Sunnybrook Health Sciences Centre Foundation to the Women's College Hospital Foundation is made no earlier than 60 days after the individual is provided with the statement described in paragraph 2.

RÈGLEMENT DE L'ONTARIO 245/06

pris en application de la

LOI DE 2004 SUR LA PROTECTION DES RENSEIGNEMENTS PERSONNELS SUR LA SANTÉ

pris le 30 mai 2006

déposé le 1^{er} juin 2006

publié sur le site Lois-en-ligne le 2 juin 2006

imprimé dans la *Gazette de l'Ontario* le 17 juin 2006modifiant le Règl. de l'Ont. 329/04
(Dispositions générales)

Remarque : Le Règlement de l'Ontario 329/04 n'a pas été modifié antérieurement.

1. L'article 18 du Règlement de l'Ontario 329/04 est modifié par adjonction du paragraphe suivant :

(8) Les entités prescrites pour l'application du paragraphe 45 (1) de la Loi peuvent divulguer les renseignements qu'elles reçoivent en vertu de ce paragraphe au ministre et à toute personne qu'il désigne aux fins de l'établissement et du maintien pour le secteur de la santé de la province de l'Ontario d'un répertoire électronique central de renseignements personnels qui permette d'identifier et d'organiser avec exactitude les dossiers de renseignements personnels sur la santé concernant un particulier.

2. Le Règlement est modifié par adjonction de l'article suivant :

Fondation du Sunnybrook Health Sciences Centre

25.1 La fondation appelée Sunnybrook Health Sciences Centre Foundation peut divulguer des renseignements personnels sur la santé concernant un particulier qu'elle reçoit d'un dépositaire de renseignements sur la santé à la fondation appelée Women's College Hospital Foundation dans le cadre d'activités de financement entreprises à une fin charitable ou philanthropique liée aux activités de l'hôpital appelé Women's College Hospital si les exigences suivantes sont respectées :

1. Seuls les nom et adresse postale du particulier sont divulgués.
2. La fondation du Sunnybrook Health Sciences Centre a remis au particulier une brève déclaration indiquant que, sauf demande à l'effet contraire de sa part, ses nom et adresse postale peuvent être divulgués à la fondation du Women's College Hospital dans le cadre d'activités de financement entreprises à une fin charitable ou philanthropique liée aux activités du Women's College Hospital.
3. La déclaration remise conformément à la disposition 2 contient des renseignements sur une ou plusieurs façons simples dont le particulier peut demander que la fondation du Sunnybrook Health Sciences Centre ne divulgue pas ses nom et adresse postale à la fondation du Women's College Hospital.
4. Le particulier n'a pas demandé que ses nom et adresse postale ne soient pas divulgués à la fondation du Women's College Hospital.
5. La fondation du Sunnybrook Health Sciences Centre divulgue les renseignements à la fondation du Women's College Hospital au plus tôt 60 jours après que la déclaration visée à la disposition 2 est remise au particulier.

24/06

ONTARIO REGULATION 246/06

made under the

REAL ESTATE AND BUSINESS BROKERS ACT, 2002

Made: June 1, 2006

Filed: June 1, 2006

Published on e-Laws: June 5, 2006

Printed in *The Ontario Gazette*: June 17, 2006

Amending O. Reg. 580/05

(Code of Ethics)

Note: Ontario Regulation 580/05 has not previously been amended.

1. Section 36 of Ontario Regulation 580/05 is amended by adding the following subsection:

(4.1) Clauses (4) (a) and (b) do not apply to a registrant who advertises before January 1, 2007.

2. Subsection 36 (4.1) of the Regulation is revoked.

3. (1) Subject to subsection (2), this Regulation comes into force on the day it is filed.

(2) Section 2 comes into force on January 1, 2007.

RÈGLEMENT DE L'ONTARIO 246/06

pris en application de la

LOI DE 2002 SUR LE COURTAGE COMMERCIAL ET IMMOBILIER

pris le 1^{er} juin 2006
déposé le 1^{er} juin 2006
publié sur le site Lois-en-ligne le 5 juin 2006
imprimé dans la *Gazette de l'Ontario* le 17 juin 2006

modifiant le Règl. de l'Ont. 580/05
(Code de déontologie)

Remarque : Le Règlement de l'Ontario 580/05 n'a pas été modifié antérieurement.

1. L'article 36 du Règlement de l'Ontario 580/05 est modifié par adjonction du paragraphe suivant :

(4.1) Les alinéas (4) a) et b) ne s'appliquent pas à la personne inscrite qui fait une publicité avant le 1^{er} janvier 2007.

2. Le paragraphe 36 (4.1) du Règlement est abrogé.

3. (1) Sous réserve du paragraphe (2), le présent Règlement entre en vigueur le jour de son dépôt.

(2) L'article 2 entre en vigueur le 1^{er} janvier 2007.

Made by:

Pris par :

Le ministre des Services gouvernementaux,

GERRY PHILLIPS
Minister of Government Services

Date made: June 1, 2006.

Pris le : 1^{er} juin 2006.

24/06

NOTE: The Table of Regulations – Legislative History Overview and other tables related to regulations can be found at the e-Laws website (www.e-Laws.gov.on.ca) under Tables. Consolidated regulations may also be found at that site by clicking on Statutes and associated Regulations under Consolidated Law.

REMARQUE : On trouve le Sommaire de l'historique législatif des règlements et d'autres tables liées aux règlements sur le site Web Lois-en-ligne (www.lois-en-ligne.gouv.on.ca) en cliquant sur «Tables». On y trouve également les règlements codifiés en cliquant sur le lien Lois et règlements d'application sous la rubrique «Textes législatifs codifiés».

Publications under the Regulations Act Publications en vertu de la Loi sur les règlements

2006—06—24

ONTARIO REGULATION 247/06

made under the

SAFE DRINKING WATER ACT, 2002

Made: November 23, 2005

Filed: June 5, 2006

Published on e-Laws: June 6, 2006

Printed in *The Ontario Gazette*: June 24, 2006

Amending O. Reg. 170/03

(Drinking-Water Systems)

Note: Ontario Regulation 170/03 has previously been amended. Those amendments are listed in the Table of Regulations — Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. (1) Subsection 1 (1) of Ontario Regulation 170/03 is amended by adding the following definition:

“month” means a calendar month; (“mois”)

(2) Clause (a) of the definition of “service connection” in subsection 1 (1) of the Regulation is revoked and the following substituted:

(a) a point where a drinking-water system connects to plumbing, other than plumbing in a trailer park or campground, or

(3) Subsection 1 (1) of the Regulation is amended by adding the following definition:

“week” means a period of seven days that begins on Sunday and ends on the following Saturday. (“semaine”)

2. The Table to section 4 of the Regulation is revoked and the following substituted:

TABLE

| Item | Drinking-Water Systems | Applicable Schedules | | | | |
|------|--|----------------------|---|--|---------|--------------------------------|
| | | Treatment | Operational Checks, Sampling and Testing | Adverse Test Results and Other Problems | Reports | Chemical Testing Parameters |
| 1. | Large municipal residential systems | 1, 4 | 6, 7, 10, 13 | 16, 17 | 22 | 23, 24 |
| 2. | Small municipal residential systems | 1, 3, 4 | 6, 7, 11, 13 | 16, 18, 19 | 22 | 23, 24 |
| 3. | Large municipal non-residential systems | 2, 3, 5 | 6, 8, 12, 15 | 16, 18, 19 | 21 | 23, 24 |
| 4. | Small municipal non-residential systems | 2, 3, 5 | 6, 9, 12, 15 | 16, 18, 19 | 21 | 23, 24 |
| 5. | Non-municipal year-round residential systems | 2, 3, 5 | 6, 8, 11, 13 | 16, 18, 19 | 21 | 23, 24 |
| 6. | Non-municipal seasonal residential systems | 2, 3, 5 | 6, 9, 12, 15 | 16, 18, 19 | 21 | 23, 24 |
| 7. | Large non-municipal non-residential systems | 2, 3, 5 | 6, 8, 12, 15 | 16, 18, 19 | 21 | 23, 24 |
| 8. | Small non-municipal non-residential systems | 2, 3, 5 | 6, 9, 12, 15 | 16, 18, 19 | 21 | 23, 24 |

3. (1) Subsection 5 (1) of the Regulation is revoked and the following substituted:

Exemptions: residential systems

(1) If a large municipal residential system or small municipal residential system obtains all of its water from a drinking-water system described in subsection (1.1), Schedules 1, 7, 10, 11 and 13 do not apply to the system that obtains the water, except for the following provisions:

1. Section 7-1, subsections 7-2 (3) to (6) and section 7-5 of Schedule 7.
2. Sections 10-1 and 10-2 of Schedule 10.
3. Sections 11-1, 11-2 and 11-4 of Schedule 11.
4. Sections 13-1, 13-3, 13-5, 13-6, 13-10 and 13-11 of Schedule 13.

(1.1) Subsection (1) applies if the drinking-water system from which water is obtained,

- (a) is a large municipal residential system or small municipal residential system to which this Regulation applies;
- (b) provides primary disinfection in accordance with section 1-3 of Schedule 1, or provides filtration and primary disinfection in accordance with section 1-4 of Schedule 1; and
- (c) provides secondary disinfection in accordance with section 1-5 of Schedule 1.

(2) Subsection 5 (2) of the Regulation is amended by striking out the portion before paragraph 1 and substituting the following:

(2) If a non-municipal year-round residential system obtains all of its water from a drinking-water system described in subsection (3.1), Schedules 2, 8, 11 and 13 do not apply to the system that obtains the water, except for the following provisions:

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(3) Paragraph 1 of subsection 5 (2) of the Regulation is revoked and the following substituted:

1. Sections 8-1 and 8-2, subsections 8-3 (3) and (3.1) and sections 8-5 and 8-7 of Schedule 8.

(4) Subsection 5 (3) of the Regulation is revoked and the following substituted:

(3) If a non-municipal seasonal residential system obtains all of its water from a drinking-water system described in subsection (3.1), Schedules 2, 9, 12 and 15 do not apply to the system that obtains the water, except for the following provisions:

1. Sections 9-1 and 9-2, subsections 9-3 (3) and (3.1) and sections 9-5, 9-6 and 9-8 of Schedule 9.
2. Sections 12-1, 12-2 and 12-4 of Schedule 12.
3. Sections 15-1, 15-3 and 15-7 of Schedule 15.

(5) Section 5 of the Regulation is amended by adding the following subsection:

(3.1) Subsections (2) and (3) apply if the drinking-water system from which water is obtained,

- (a) is a drinking-water system to which this Regulation applies;
- (b) provides primary disinfection in accordance with section 1-3 of Schedule 1 or section 2-3 of Schedule 2, or provides filtration and primary disinfection in accordance with section 1-4 of Schedule 1 or section 2-4 of Schedule 2; and
- (c) provides secondary disinfection in accordance with section 1-5 of Schedule 1 or section 2-5 of Schedule 2.

(6) Subsection 5 (4) of the Regulation is amended by striking out "except sections 8.1 and 9 and subsections 11 (2.1), (8) and (9)" in the portion before clause (a) and substituting "except sections 8.1, 9, 10 and 10.1 and subsections 11 (2.1), (8) and (9)".

(7) Section 5 of the Regulation is amended by adding the following subsections:

(5) If a drinking-water system obtains water from another drinking-water system and the owner of the system from which water is obtained has agreed in writing to do anything referred to in subclauses (4) (b) (i) and (ii), the owner shall comply with the agreement.

(6) This section applies whether the water that is obtained,

- (a) is obtained through connections;
- (b) is obtained through transportation; or
- (c) is obtained through a combination of connections and transportation.

4. (1) Subsection 6 (1) of the Regulation is amended by striking out “except section 8.1, subsection 9 (1), section 10 and subsections 11 (2.1), (8) and (9)” in the portion before clause (a) and substituting “except section 8.1, subsection 9 (1), sections 9.1, 10 and 10.1 and subsections 11 (2.1), (8) and (9)”.

(2) Subsection 6 (1) of the Regulation is amended by adding the following clause:

- (a.1) the drinking-water system from which the drinking water is obtained provides primary disinfection in accordance with section 1-3 of Schedule 1 or section 2-3 of Schedule 2, or provides filtration and primary disinfection in accordance with section 1-4 of Schedule 1 or section 2-4 of Schedule 2;

(3) Section 6 of the Regulation is amended by adding the following subsection:

(3) If a drinking-water system obtains water from another drinking-water system and the owner of the system from which water is obtained has agreed in writing to do anything referred to in subclauses (1) (c) (i) and (ii), the owner shall comply with the agreement.

5. (1) Subsection 7 (1) of the Regulation is amended by striking out the portion before paragraph 1 and substituting the following:

Exemptions: non-residential systems that receive transported water

(1) Schedules 2, 3, 8, 9 and 11 to 15 do not apply to one of the following drinking-water systems if all of its drinking water is transported to the system from a drinking-water system described in subsection (1.1) and the drinking water is stored in a container that is constructed and maintained in a manner that prevents surface water and other foreign materials from coming into contact with the drinking water:

(2) Section 7 of the Regulation is amended by adding the following subsection:

(1.1) Subsection (1) applies if the drinking-water system from which drinking water is transported,

- (a) provides primary disinfection in accordance with section 1-3 of Schedule 1 or section 2-3 of Schedule 2, or provides filtration and primary disinfection in accordance with section 1-4 of Schedule 1 or section 2-4 of Schedule 2; and
(b) provides secondary disinfection in accordance with section 1-5 of Schedule 1 or section 2-5 of Schedule 2.

(3) Subsection 7 (4) of the Regulation is revoked and the following substituted:

(4) Subsection (2) does not apply to a drinking-water system if all of the following criteria are satisfied:

1. A point of entry treatment unit owned or leased by the owner of the system is connected to the plumbing of every building and other structure that is served by the drinking-water system and is part of a designated facility or public facility.
2. None of the point of entry treatment units use chlorination or chloramination.
3. Each point of entry treatment unit,
 - i. has a feature that ensures that no water is directed to users of water treated by the unit in the event that the unit malfunctions, loses power or ceases to provide the appropriate level of disinfection, or
 - ii. is designed and operated in accordance with the standards described in subsection (5).
4. If a point of entry treatment unit has a feature described in subparagraph 3 i and the unit malfunctions, loses power or ceases to provide the appropriate level of disinfection, a person takes appropriate action at the location where the unit is installed before water is again directed to users of water treated by the unit.
- (5) The standards referred to in subparagraph 3 ii of subsection (4) are the following:
 1. The point of entry treatment unit must have a feature that causes an alarm to sound immediately at the following locations if the unit malfunctions, loses power or ceases to provide the appropriate level of disinfection:
 - i. The building or structure where the point of entry treatment unit is installed.
 - ii. A location where a person is present, if a person is not always present at the location described in subparagraph i.
 - iii. Every designated facility served by the drinking-water system.
 2. If an alarm sounds under paragraph 1, a person who is at the building or structure where the point of entry treatment unit is installed must take appropriate action or a person must promptly be dispatched to that location to take appropriate action.
 3. A person who is dispatched under paragraph 2 must arrive at the building or structure where the point of entry treatment unit is installed as soon as possible.

6. (1) Paragraph 1 of subsection 8 (5) of the Regulation is revoked and the following substituted:

1. Sections 8.1, 9, 9.1, 10 and 10.1.

(2) Section 8 of the Regulation is amended by adding the following subsection:

(8.1) The owner of the drinking-water system shall ensure that a check that is done during a week for the purpose of subsection (8) is done at least five days, and not more than 10 days, after a check that was done for that purpose in the previous week.

(3) Clause 8 (9) (b) of the Regulation is amended by striking out “at least five years” and substituting “at least 12 months”.

7. Section 8.1 of the Regulation is amended by adding the following subsection:

(5.1) Section 12 of the Act does not apply to a non-municipal year-round residential system if, pursuant to section 8-6.1 of Schedule 8, a reference in that Schedule to a certified operator is deemed, with respect to that system, to be a reference to any person.

8. The Regulation is amended by adding the following section:

Exemptions from transfer of ownership requirements of Act

9.1 Section 51 of the Act does not apply to a large municipal non-residential system or small municipal non-residential system.

9. The Regulation is amended by adding the following section:

System information

10.1 (1) The owner of a drinking-water system that commences operation after this section comes into force shall give the Director a written notice containing information about the system within 30 days after the system commences operation.

(2) The owner of a drinking-water system that commenced operation before this section came into force shall give the Director a written notice containing information about the system within 60 days after this section comes into force.

(3) If there is any change to the information given to the Director under subsection (1) or (2), the owner of the drinking-water system shall give the Director written notice of the change within 10 days of the change.

(4) The owner of a drinking-water system shall be deemed to have given the Director written notice in accordance with subsection (2) if, before this section came into force, a written notice or report that relates to the system was submitted to the Director in a form that complied with section 14.

10. (1) Subsection 11 (1) of the Regulation is amended by striking out “and given to the Director”.

(2) Subsection 11 (2) of the Regulation is amended by striking out “shall ensure that, at the same time that the annual report is given to the Director, a copy” in the portion before clause (a) and substituting “shall ensure that, when the annual report is prepared, a copy”.

(3) Subsection 11 (2.1) of the Regulation is amended by striking out “shall ensure that, at the same time that the annual report for the system is given to the Director, a copy” and substituting “shall ensure that, when the annual report for the system is prepared, a copy”.

(4) Subsection 11 (3) of the Regulation is amended by striking out “must be given to the Director” in the portion before paragraph 1 and substituting “must be prepared”.

(5) Subsection 11 (4) of the Regulation is amended by striking out “must be given to the Director” and substituting “must be prepared”.

(6) Subsection 11 (5) of the Regulation is amended by striking out “must be given to the Director” and substituting “must be prepared”.

(7) Subsection 11 (18) of the Regulation is revoked and the following substituted:

(18) If section 12 of Ontario Regulation 459/00 and section 15 of Ontario Regulation 505/01 did not apply to the owner of a system to which subsection (5) applies, no report is required to be prepared under subsection (5) until May 31, 2006 and, despite that subsection, the report required to be prepared not later than May 31, 2006 shall cover the period from June 1, 2005 to March 31, 2006.

11. Paragraph 4 of subsection 12 (1) of the Regulation is revoked and the following substituted:

4. A copy of every report prepared under Schedule 21 or 22.

12. Section 13 of the Regulation is revoked and the following substituted:

Retention of records

13. (1) The owner of a drinking-water system shall ensure that the following documents and other records are kept for at least two years:

1. Every record or report related to a test required under any of the following provisions:
 - i. Section 7.
 - ii. Schedules 6 to 12.
 - iii. Sections 17-5 to 17-9 of Schedule 17.
 - iv. Sections 18-5 to 18-9 of Schedule 18.
2. Every record or report related to a test required under an approval or order, including an OWRA approval or OWRA order, unless the record or report relates to a parameter listed in Schedule 23 or 24 to this Regulation or Schedule 3 to Ontario Regulation 169/03 (Ontario Drinking-Water Quality Standards).
3. Every record made under subsection 8-2 (5) of Schedule 8 or subsection 9-2 (5) of Schedule 9.
4. Every record made under subsection 3-1.1 (6) or (7) of Schedule 3.

(2) The owner of a drinking-water system shall ensure that the following documents and other records are kept for at least six years:

1. Every record or report related to a test required under any of the following provisions:
 - i. Subsection 13-2 (2), section 13-3, subsection 13-4 (2) and sections 13-5, 13-6 and 13-7 of Schedule 13.
 - ii. Section 15-4 of Schedule 15.
 - iii. Sections 17-10 to 17-12 of Schedule 17.
2. Every record or report related to a test required under an approval or order, including an OWRA approval or OWRA order, if the record or report relates to a parameter listed in Schedule 23 or 24 to this Regulation or Schedule 3 to Ontario Regulation 169/03 (Ontario Drinking-Water Quality Standards).
3. Every annual report prepared under section 11.
4. Every report prepared under Schedule 22.

(3) The owner of a drinking-water system shall ensure that the following documents and other records are kept for at least 15 years:

1. Every record or report related to a test required under any of the following provisions:
 - i. Subsections 13-2 (3) and 13-4 (3) and sections 13-8 and 13-9 of Schedule 13.
 - ii. Sections 15-2, 15-3, 15-5 and 15-6 of Schedule 15.
 - iii. Section 17-13 of Schedule 17.
 - iv. Sections 18-10 to 18-13 of Schedule 18.
2. Every report prepared under Schedule 21.
3. Every report referred to in paragraph 7 of subsection 2 (2) or clause 2 (3) (a) that is related to the system's raw water supply.
4. If the owner gave the Director a written statement by a professional engineer under subsection 21-2 (3) of Schedule 21, a copy of the OWRA approval referred to in that subsection.

(4) The owner of a drinking-water system shall ensure that reports prepared under Schedule 21 are kept at a location where they can conveniently be viewed by a provincial officer who is inspecting the system's water treatment equipment.

(5) If the Director or a provincial officer makes a request for a document or other record referred to in subsection (1), (2) or (3), the owner of a drinking-water system shall ensure that the document or other record is given to the Director or provincial officer within such period as the Director or provincial officer may specify.

(6) If a professional engineer or professional hydrogeologist is preparing an opinion, report or assessment referred to in this Regulation in respect of a drinking-water system and makes a request for a document or other record referred to in subsection (1), (2) or (3), the owner of the system shall ensure that the document or other record is given to the professional engineer or professional hydrogeologist within such period as the professional engineer or professional hydrogeologist may specify.

(7) For the purpose of this section,

- (a) a reference in subsection (1), (2) or (3) to tests required under a provision of this Regulation shall be deemed to include a reference to,
 - (i) tests required for the same parameter under section 7 of Ontario Regulation 459/00 (Drinking Water Protection — Larger Water Works), if that regulation applied to the drinking-water system, or
 - (ii) tests required for the same parameter under section 9 of Ontario Regulation 505/01 (Drinking Water Protection — Small Water Works Serving Designated Facilities), if that regulation applied to the drinking-water system;
- (b) a reference in paragraph 3 of subsection (2) to annual reports prepared under section 11 shall be deemed to include a reference to,
 - (i) reports prepared under section 12 of Ontario Regulation 459/00, if that regulation applied to the drinking-water system, or
 - (ii) reports prepared under section 15 of Ontario Regulation 505/01, if that regulation applied to the drinking-water system; and
- (c) a reference in paragraph 2 of subsection (3) to reports prepared under Schedule 21 shall be deemed to include a reference to reports prepared under section 5 of Ontario Regulation 505/01, if that regulation applied to the drinking-water system.

13. (1) Section 1-3 of Schedule 1 to the Regulation is revoked and the following substituted:

Primary disinfection for ground water raw water supply

1-3. The owner of a drinking-water system that obtains water from a raw water supply that is ground water shall ensure provision of water treatment equipment that is designed to be capable of achieving, at all times, primary disinfection in accordance with the Ministry's *Procedure for Disinfection of Drinking Water in Ontario*, including at least 99 per cent removal or inactivation of viruses by the time,

- (a) water leaves the point of entry treatment units, in the case of a drinking-water system to which, pursuant to section 3-1.1 of Schedule 3, section 1-5 does not apply; or
- (b) water enters the distribution system, in any other case.

(2) Subclause 1-4 (a) (ii) of Schedule 1 to the Regulation is revoked and the following substituted:

- (ii) is designed to be capable of achieving, at all times, primary disinfection in accordance with the Ministry's *Procedure for Disinfection of Drinking Water in Ontario*, including at least 99 per cent removal or inactivation of *Cryptosporidium* oocysts, at least 99.9 per cent removal or inactivation of *Giardia* cysts and at least 99.99 per cent removal or inactivation of viruses by the time,

- (A) water leaves the point of entry treatment units, in the case of a drinking-water system to which, pursuant to section 3-1.1 of Schedule 3, section 1-5 does not apply, or
- (B) water enters the distribution system, in any other case; or

(3) Section 1-6 of Schedule 1 to the Regulation is revoked and the following substituted:

Primary disinfection equipment that does not use chlorination or chloramination

1-6. (1) If primary disinfection equipment that does not use chlorination or chloramination is provided by a drinking-water system, the owner of the system and the operating authority for the system shall ensure that the disinfection equipment is designed and operated in accordance with the standards described in subsection (2), or that,

- (a) the disinfection equipment has a feature that ensures that no water is directed to users of water treated by the equipment in the event that the equipment malfunctions, loses power or ceases to provide the appropriate level of disinfection; and
- (b) if the disinfection equipment malfunctions, loses power or ceases to provide the appropriate level of disinfection, a certified operator takes appropriate action at the location where the equipment is installed before water is again directed to users of water treated by the equipment.

(2) The standards referred to in subsection (1) are the following:

- 1. The disinfection equipment must have a feature that causes an alarm to sound immediately in the following locations if the disinfection equipment malfunctions, loses power or ceases to provide the appropriate level of disinfection:
 - i. The building or structure where the disinfection equipment is installed.
 - ii. A location where a person is present, if a person is not always present at the building or structure where the disinfection equipment is installed.

2. If an alarm sounds under paragraph 1, a certified operator who is at the building or structure where the disinfection equipment is installed must take appropriate action or, if no certified operator is at that location, a certified operator must promptly be dispatched to that location to take appropriate action.
3. A certified operator who is dispatched under paragraph 2 must arrive at the building or structure where the disinfection equipment is installed as soon as possible.

(3) If primary disinfection equipment that does not use chlorination or chloramination is provided by a large municipal residential system, the owner of the system and the operating authority for the system shall ensure that the disinfection equipment has a recording device that continuously records the performance of the disinfection equipment.

14. (1) Subsection 2-2 (3) of Schedule 2 to the Regulation is revoked and the following substituted:

(3) Subsection (2) does not apply to a large municipal non-residential system, small municipal non-residential system, large non-municipal non-residential system or small non-municipal non-residential system on days when the system is not supplying water to any designated facilities or public facilities that are open.

(4) Subsection (2) does not apply to a non-municipal seasonal residential system during a period of 60 or more consecutive days when the system,

- (a) is not supplying water to any designated facilities or public facilities that are open;
- (b) is not supplying water to any major residential development; and
- (c) is not supplying water to any trailer park or campground that has more than five service connections.

(2) Clause 2-3 (a) of Schedule 2 to the Regulation is amended by striking out “section 3-2 of Schedule 3” and substituting “section 3-1.1 or 3-2 of Schedule 3”.

(3) Section 2-3 of Schedule 2 to the Regulation is amended by adding the following subsections:

(2) Subsection (1) also applies in respect of a non-municipal year-round residential system that is deemed, under paragraph 4 or 5 of subsection 2 (2), to obtain water from a raw water supply that is ground water under the direct influence of surface water if,

- (a) the system does not serve any designated facilities; and
- (b) the owner of the system gives the Director,
 - (i) a written notice that complies with section 2-12, and
 - (ii) a written notice stating that the owner of the system and the operating authority for the system have complied with section 11-3 of Schedule 11 and sections 18-5 and 18-6 of Schedule 18 for a period of 12 consecutive months and that, during that period,
 - (A) no test results from water samples described in subsection 11-3 (1) of Schedule 11 from the system's raw water indicated the presence of *Escherichia coli* (E. coli) or total coliforms, and
 - (B) no test results from water samples taken under section 18-5 or 18-6 of Schedule 18 indicated the presence of *Escherichia coli* (E. coli) or total coliforms.

(3) Subsection (1) also applies, until the end of the month following the first anniversary of the day the system commences operation, in respect of a non-municipal year-round residential system that is deemed under paragraph 4 or 5 of subsection 2 (2) to obtain water from a raw water supply that is ground water under the direct influence of surface water, if,

- (a) the system commences operation after this section comes into force;
 - (b) the system does not serve any designated facilities; and
 - (c) before the system commences operation, the owner of the system gives the Director a written notice that complies with section 2-12.
- (4) Subsections (2) and (3) cease to apply to a non-municipal year-round residential system 90 days after,
- (a) a test result obtained under paragraph 2 of section 18-5 of Schedule 18 indicates the presence of *Escherichia coli* (E. coli) in a water sample; or
 - (b) a test result obtained under paragraph 1 of section 18-6 of Schedule 18 indicates the presence of total coliforms in a water sample, if the day on which the sample was taken is the second day during a period of 12 consecutive months on which a water sample was taken under paragraph 1 of section 18-6 of Schedule 18 that produced a test result indicating the presence of total coliforms.

(5) No notice may be given to the Director under clause (2) (b) if subsection (2) or (3) previously ceased to apply to the system under subsection (4).

(4) Sub-subclause 2-4 (a) (ii) (A) of Schedule 2 to the Regulation is amended by striking out “section 3-2 of Schedule 3” and substituting “section 3-1.1 or 3-2 of Schedule 3”.

(5) Section 2-4 of Schedule 2 to the Regulation is amended by adding the following subsection:

(2) Subsection (1) does not apply in respect of a non-municipal year-round residential system if subsection 2-3 (1) applies in respect of the system.

(6) Section 2-6 of Schedule 2 to the Regulation is revoked and the following substituted:

Primary disinfection equipment that does not use chlorination or chloramination

2-6. (1) If primary disinfection equipment that does not use chlorination or chloramination is provided by a drinking-water system, the owner of the system and the operating authority for the system shall ensure that the disinfection equipment is designed and operated in accordance with the standards described in subsection (2), or that,

- (a) the disinfection equipment has a feature that ensures that no water is directed to users of water treated by the equipment in the event that the equipment malfunctions, loses power or ceases to provide the appropriate level of disinfection; and
- (b) if the disinfection equipment malfunctions, loses power or ceases to provide the appropriate level of disinfection, a person described in paragraph 9 of subsection 2-2 (2) takes appropriate action at the location where the equipment is installed before water is again directed to users of water treated by the equipment.

(2) The standards referred to in subsection (1) are the following:

- 1. The disinfection equipment must have a feature that causes an alarm to sound immediately in the following locations if the disinfection equipment malfunctions, loses power or ceases to provide the appropriate level of disinfection:
 - i. The building or structure where the disinfection equipment is installed.
 - ii. A location where a person is present, if a person is not always present at the building or structure where the disinfection equipment is installed.
- 2. If an alarm sounds under paragraph 1, a person described in paragraph 9 of subsection 2-2 (2) who is at the building or structure where the disinfection equipment is installed must take appropriate action or, if no such person is at that location, a person described in paragraph 9 of subsection 2-2 (2) must promptly be dispatched to that location to take appropriate action.
- 3. A person who is dispatched under paragraph 2 must arrive at the building or structure where the disinfection equipment is installed as soon as possible.

(3) If a drinking-water system provides primary disinfection with ultraviolet light disinfection equipment and not with chlorination or chloramination, the owner of the system and the operating authority for the system shall ensure that any sensors that form part of the equipment's monitoring system are checked and calibrated in accordance with the manufacturer's instructions.

(7) Section 2-10 of Schedule 2 to the Regulation is revoked.

(8) Schedule 2 to the Regulation is amended by adding the following sections:

Exceptions

2-11. (1) This Schedule, except paragraph 1 of subsection 2-2 (1), does not apply to a non-municipal year-round residential system if,

- (a) the system does not serve any designated facilities;
- (b) the system obtains water from a raw water supply that is ground water; and
- (c) the owner of the system gives the Director,
 - (i) a written notice that complies with section 2-12, and
 - (ii) a written notice stating that the owner of the system and the operating authority for the system have complied with section 11-3 of Schedule 11 and sections 18-5 and 18-6 of Schedule 18 for a period of 12 consecutive months and that, during that period,
 - (A) no test results from water samples described in subsection 11-3 (1) of Schedule 11 from the system's raw water indicated the presence of *Escherichia coli* (E. coli) or total coliforms, and
 - (B) no test results from water samples taken under section 18-5 or 18-6 of Schedule 18 indicated the presence of *Escherichia coli* (E. coli) or total coliforms.

(2) This Schedule, except paragraph 1 of subsection 2-2 (1), does not apply to a non-municipal year-round residential system until the end of the month following the first anniversary of the day the system commences operation if,

- (a) the system commences operation after this section comes into force;
 - (b) the system does not serve any designated facilities;
 - (c) the system obtains water from a raw water supply that is ground water; and
 - (d) before the system commences operation, the owner of the system gives the Director a written notice that complies with section 2-12.
- (3) Subsections (1) and (2) cease to apply to a non-municipal year-round residential system 90 days after,
- (a) a test result obtained under paragraph 2 of section 18-5 of Schedule 18 indicates the presence of *Escherichia coli* (*E. coli*) in a water sample; or
 - (b) a test result obtained under paragraph 1 of section 18-6 of Schedule 18 indicates the presence of total coliforms in a water sample, if the day on which the sample was taken is the second day during a period of 12 consecutive months on which a water sample was taken under paragraph 1 of section 18-6 of Schedule 18 that produced a test result indicating the presence of total coliforms.
- (4) No notice may be given to the Director under clause (1) (c) if subsection (1) or (2) previously ceased to apply to the system under subsection (3).

Well technician's notice

2-12. (1) For the purpose of this Schedule, a notice complies with this section with respect to a non-municipal year-round residential system if the notice is signed by a person described in subsection (2) and the notice states that, after the day this section came into force, the person inspected each well that is used as a raw water supply for the system and, for each of those wells, the person is of the opinion that,

- (a) the well does not have a well pit;
- (b) the well does not penetrate through the bottom of a bored or dug well;
- (c) the well is accessible for cleaning, treatment, repair, testing, inspection and visual examination at all times;
- (d) the site of the well is at an elevation higher than the immediately surrounding area;
- (e) the site of the well is separated by at least the clearance distance required by Ontario Regulation 403/97 (Building Code), made under the *Building Code Act, 1992*, from a leaching bed system or other sewage system as defined in that regulation, including a sewage system that has not been constructed but for which a building permit has been issued;
- (f) the site of the well is at least 15 metres from a source of pollution other than one mentioned in clause (e);
- (g) the well is cased to,
 - (i) at least 15 centimetres above the floor, if a pump is installed directly over the well and a floor has been constructed around or adjacent to the casing, or
 - (ii) at least 30 centimetres above the ground surface, in any other case;
- (h) the surface drainage is such that water will not collect or pond in the vicinity of the well, including the area above the annular space;
- (i) the top of the well's casing is sealed with a commercially manufactured vermin-proof well cap, if a pump is not located directly over the well;
- (j) the top of the well's casing is shielded in a manner sufficient to prevent entry of any material that may impair the quality of the water in the well, if a pump is installed directly over the well;
- (k) the well's air vent extends above the ground surface a distance sufficient to prevent the entry of flood water from any anticipated flooding in the area;
- (l) the open end of the well's air vent is shielded and screened in a manner sufficient to prevent the entry of any materials into the well;
- (m) the well's casing does not impair the quality of water with which it comes in contact;
- (n) the portion of the well's casing that is visible without a down-hole camera,
 - (i) is clean and free of contamination, and
 - (ii) is watertight;
- (o) the portion of the well's casing that is visible without a down-hole camera has no joints, except for joints that,
 - (i) achieve a permanent, watertight bond, such as welded steel joints, and
 - (ii) are made so that the jointed casing does not impair the quality of water with which it comes in contact;

- (p) any seams in the portion of the well's casing that is visible without a down-hole camera achieve a permanent watertight bond; and
- (q) a pitless adapter is used and the connection is watertight, if a connection to the casing of the well is made below the ground surface.
- (2) The person referred to in subsection (1) is,
 - (a) a person who holds a well technician licence described as a Well Drilling licence in paragraph 1 of subsection 5 (1) of Regulation 903 of the Revised Regulations of Ontario, 1990 (Wells) made under the *Ontario Water Resources Act*;
 - (b) a professional engineer who has experience in ground water supply;
 - (c) a professional hydrogeologist who has experience in ground water supply; or
 - (d) a person registered as a certified engineering technologist under the *Ontario Association of Certified Engineering Technicians and Technologists Act, 1998* who has experience in ground water supply.
- (3) Words and expressions used in this section have the same meanings as in section 35 of the *Ontario Water Resources Act* and section 1 of Regulation 903 of the Revised Regulations of Ontario, 1990 (Wells) made under that Act.

15. (1) Section 3-1 of Schedule 3 to the Regulation is amended by adding the following paragraphs:

0.1 Small municipal residential systems.

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2.1 Non-municipal year-round residential systems.

2.2 Non-municipal seasonal residential systems.

(2) Schedule 3 to the Regulation is amended by adding the following section:

Point of entry treatment units in residential systems

3-1.1 (1) Section 1-5 of Schedule 1 does not apply to a small municipal residential system, section 2-5 of Schedule 2 does not apply to a non-municipal year-round residential system that serves fewer than 101 private residences, and section 2-5 of Schedule 2 does not apply to a non-municipal seasonal residential system that has fewer than 101 service connections, if the following criteria are met:

- 1. A point of entry treatment unit owned or leased by the owner of the drinking-water system is connected to the plumbing of every building and other structure that is part of a private residence, designated facility or public facility served by the system.
- 2. Every point of entry treatment unit has a feature that ensures that no water is directed to users of water treated by the equipment in the event that the equipment malfunctions, loses power or ceases to provide the appropriate level of disinfection.
- 3. None of the point of entry treatment units use chlorination or chloramination.
- 4. The owner of the drinking-water system or the operating authority for the system has a record that,
 - i. sets out the location of each point of entry treatment unit and the date it was installed, and
 - ii. in the case of a small municipal residential system that requires an approval under the Act, contains a confirmation by the owner of the system that each point of entry treatment unit was installed in accordance with the approval.
- 5. The owner of the drinking-water system has given the Director a written notice certifying that,
 - i. the owner of the drinking-water system has given a written statement that contains the information set out in subsection (5) to the occupants of every private residence and the operators of every designated facility and public facility that is served by the system at the time the notice is given to the Director,
 - ii. the owner of the drinking-water system has discussed the information set out in subsection (5), in person or by telephone, with an apparently adult occupant of every private residence and the operator of every designated facility and public facility that is served by the system at the time the notice is given to the Director, and
 - iii. the owner of the drinking-water system has made reasonable efforts to give a written statement that contains the information set out in subsection (5) to the owner of every private residence, designated facility and public facility that is served by the system at the time the notice is given to the Director, if the owner of the residence or facility is not an occupant of the residence or the operator of the facility.
- 6. The owner of the drinking-water system or the operating authority for the system gives notice to the occupants of a property where a point of entry treatment unit is located whenever the owner or operating authority requires permission to enter the property.

(2) If subsection (1) applies to a drinking-water system and the system begins to serve another private residence, designated facility or public facility, the owner of the drinking-water system shall promptly,

- (a) give a written statement that contains the information set out in subsection (5) to the occupants of the private residence or the operator of the designated facility or public facility;
- (b) discuss the information set out in subsection (5), in person or by telephone, with an apparently adult occupant of the private residence or the operator of the designated facility or public facility; and
- (c) make reasonable efforts to give a written statement that contains the information set out in subsection (5) to the owner of the private residence, designated facility or public facility, if the owner of the residence or facility is not an occupant of the residence or the operator of the facility.

(3) If subsection (1) applies to a drinking-water system and the owner of the system becomes aware that the occupants of a private residence served by the system have changed or that the operator of a designated facility or public facility served by the system has changed, the owner shall promptly,

- (a) give a written statement that contains the information set out in subsection (5) to the occupants of the private residence or the operator of the designated facility or public facility; and
- (b) discuss the information set out in subsection (5), in person or by telephone, with an apparently adult occupant of the private residence or the operator of the designated facility or public facility.

(4) If subsection (1) applies to a drinking-water system, the owner of the system becomes aware that the owner of a private residence served by the system has changed or that the operator of a designated facility or public facility served by the system has changed, and the owner of the residence or facility is not an occupant of the residence or the operator of the facility, the owner of the drinking-water system shall promptly make reasonable efforts to give a written statement that contains the information set out in subsection (5) to the owner of the residence or facility.

(5) The following information is the information referred to in paragraph 5 of subsection (1) and in subsections (2), (3) and (4):

- 1. The water supplied to the private residence, designated facility or public facility, as the case may be, is treated by equipment known as a point of entry treatment unit, the purpose of which is to ensure the safety of the water.
- 2. A description of the location and appearance of the point of entry treatment unit that is sufficient to enable a person to identify the unit.
- 3. The point of entry treatment unit is owned or leased by the owner of the drinking-water system and does not belong to the owner or occupants of the property where the unit is installed.
- 4. The point of entry treatment unit has a feature to ensure that no water is directed to users of water treated by the equipment in the event that the equipment malfunctions, loses power or ceases to provide the appropriate level of disinfection.
- 5. No person should damage or tamper with the point of entry treatment unit.
- 6. The owner of the drinking-water system or the operating authority for the system will from time to time require access to the property where the point of entry treatment unit is installed to sample water and maintain the unit.
- 7. The owner of the drinking-water system or, if an operating authority is responsible for the operation of the system, the operating authority, should be contacted if the supply of water is interrupted or if there is any reason to believe that the point of entry treatment unit requires repairs.
- 8. The owner of the drinking-water system or, if an operating authority is responsible for the operation of the system, the operating authority, may be contacted if there are any questions about the point of entry treatment unit.
- 9. Information on how to contact the owner of the drinking-water system or, if an operating authority is responsible for the operation of the system, on how to contact the operating authority.

(6) If subsection (1) applies to a small municipal residential system, the owner of the system and the operating authority for the system shall ensure that,

- (a) each point of entry treatment unit is checked at least once every 12 months to confirm proper functioning; and
- (b) a record is made of the date and time of every check performed under clause (a), the name of the person who performed the check and the results of the check.

(7) If subsection (1) applies to a drinking water system, the owner of the system and the operating authority for the system shall ensure that a record is made whenever the owner or operating authority fails to obtain access to a property where a point of entry treatment unit is installed for the purpose of complying with,

- (a) clause (6) (a);

- (b) section 8-2 of Schedule 8 or section 9-2 of Schedule 9; or
- (c) section 11-2 of Schedule 11 or section 12-2 of Schedule 12.

(3) Section 3-2 of Schedule 3 to the Regulation is amended by striking out the portion before paragraph 1 and substituting the following:

Point of entry treatment units in non-residential systems

3-2. Section 2-5 of Schedule 2 does not apply to a large municipal non-residential system, a small municipal non-residential system, a large non-municipal non-residential system or a small non-municipal non-residential system if the following criteria are met:

(4) Paragraphs 1 and 2 of section 3-2 of Schedule 3 to the Regulation are revoked and the following substituted:

1. A point of entry treatment unit owned or leased by the owner of the drinking-water system is connected to the plumbing of every building and other structure that is part of a designated facility or public facility served by the system.
2. The owner of the drinking-water system or the operating authority for the system gives notice to the occupants of a property where a point of entry treatment unit is located whenever the owner or operating authority requires permission to enter the property.

16. Subparagraph 3 ii of subsection 5-4 (1) of Schedule 5 to the Regulation is amended by striking out “at least one test for *Escherichia coli* (E. coli) or fecal coliforms and” and substituting “at least one test for *Escherichia coli* (E. coli) and”.

17. (1) Schedule 6 to the Regulation is amended by adding the following section:

Frequency of sampling and equipment checks

6-1.1 (1) If this Regulation or an approval or order, including an OWRA approval or OWRA order, requires at least one water sample to be taken every week and tested for a parameter, the owner of the drinking-water system and the operating authority for the system shall ensure that at least one sample that is taken during a week for the purpose of being tested for that parameter is taken at least five days, and not more than 10 days, after a sample was taken for that purpose in the previous week.

(2) If this Regulation or an approval or order, including an OWRA approval or OWRA order, requires at least one water sample to be taken every two weeks and tested for a parameter, the owner of the drinking-water system and the operating authority for the system shall ensure that at least one sample that is taken during a two-week period for the purpose of being tested for that parameter is taken at least 10 days, and not more than 20 days, after a sample was taken for that purpose in the previous two-week period.

(3) If this Regulation or an approval or order, including an OWRA approval or OWRA order, requires at least one water sample to be taken every month and tested for a parameter, the owner of the drinking-water system and the operating authority for the system shall ensure that at least one sample that is taken during a month for the purpose of being tested for that parameter is taken at least 20 days, and not more than 40 days, after a sample was taken for that purpose in the previous month.

(4) If this Regulation or an approval or order, including an OWRA approval or OWRA order, requires at least one water sample to be taken every three months and tested for a parameter, the owner of the drinking-water system and the operating authority for the system shall ensure that at least one sample that is taken during a three-month period for the purpose of being tested for that parameter is taken at least 60 days, and not more than 120 days, after a sample was taken for that purpose in the previous three-month period.

(5) If this Regulation or an approval or order, including an OWRA approval or OWRA order, requires at least one water sample to be taken every 12 months and tested for a parameter, the owner of the drinking-water system and the operating authority for the system shall ensure that at least one sample that is taken during a 12-month period for the purpose of being tested for that parameter is taken not more than 30 days before or after the first anniversary of the day a sample was taken for that purpose in the previous 12-month period.

(6) If this Regulation or an approval or order, including an OWRA approval or OWRA order, requires at least one water sample to be taken every 36 months and tested for a parameter, the owner of the drinking-water system and the operating authority for the system shall ensure that at least one sample that is taken during a 36-month period for the purpose of being tested for that parameter is taken not more than 60 days before or after the third anniversary of the day a sample was taken for that purpose in the previous 36-month period.

(7) If this Regulation or an approval or order, including an OWRA approval or OWRA order, requires at least one water sample to be taken every 60 months and tested for a parameter, the owner of the drinking-water system and the operating authority for the system shall ensure that at least one sample that is taken during a 60-month period for the purpose of being

tested for that parameter is taken not more than 90 days before or after the fifth anniversary of the day a sample was taken for that purpose in the previous 60-month period.

(8) This section applies, with necessary modifications, if this Regulation or an approval or order, including an OWRA approval or OWRA order, requires equipment to be checked at intervals to which any of subsections (1) to (7) apply.

(2) Subsection 6-4 (3) of Schedule 6 to the Regulation is amended by striking out “that is accredited by the Standards Council of Canada” at the end and substituting “that is accredited by an accreditation body for drinking-water testing that is designated or established under the Act”.

(3) Paragraph 1 of subsection 6-5 (1) of Schedule 6 to the Regulation is amended by striking out the portion before subparagraph i and substituting the following:

1. The continuous monitoring equipment must, except when no water is being directed to users of water sampled by the equipment,

(4) Subparagraph 2 ii of subsection 6-5 (1) of Schedule 6 to the Regulation is amended by striking out “causes an alarm to sound under paragraph 5” and substituting “causes an alarm to sound under paragraph 1 of subsection (1.1)”.

(5) Paragraphs 5, 6 and 7 of subsection 6-5 (1) of Schedule 6 to the Regulation are revoked and the following substituted:

5. The continuous monitoring equipment must be designed and operated in accordance with the standards described in subsection (1.1), or,
 - i. the continuous monitoring equipment must have a feature that ensures that no water is directed to users of water sampled by the equipment in the event that the equipment malfunctions or loses power or a test result for a parameter is above the maximum alarm standard or below the minimum alarm standard specified in the Table to this section for the parameter, and
 - ii. if the continuous monitoring equipment malfunctions or loses power or a test result for a parameter is above the maximum alarm standard or below the minimum alarm standard specified in the Table to this section for the parameter, a person who is qualified to examine test results under paragraph 3 takes appropriate action at the location where tests are conducted before water is again directed to users of water sampled by the equipment.

(6) Section 6-5 of Schedule 6 to the Regulation is amended by adding the following subsection:

(1.1) The standards referred to in paragraph 5 of subsection (1) are the following:

1. The continuous monitoring equipment must cause an alarm to sound immediately at the following locations if the equipment malfunctions or loses power or a test result for a parameter is above the maximum alarm standard or below the minimum alarm standard specified in the Table to this section for the parameter:
 - i. The location where the equipment conducts tests.
 - ii. A location where a person is present, if a person is not always present at the location where the equipment conducts tests.
 - iii. Every designated facility served by the drinking-water system, unless the system is a large municipal residential system or a small municipal residential system.
2. A person qualified to examine test results under paragraph 3 of subsection (1) must take appropriate action if the person is at the location where tests are conducted and,
 - i. an alarm sounds under paragraph 1,
 - ii. a record of a test result indicates that an alarm should have sounded under paragraph 1, or
 - iii. there is good reason to believe that the continuous monitoring equipment has malfunctioned or lost power.
3. A person qualified to examine test results under paragraph 3 of subsection (1) must promptly be dispatched to the location where tests are conducted to take appropriate action if no person qualified to examine test results under paragraph 3 of subsection (1) is at that location and,
 - i. an alarm sounds under paragraph 1, unless a person qualified to examine test results under paragraph 3 of subsection (1) determines that,
 - A. the alarm sounded because a test result for a parameter was above the maximum alarm standard or below the minimum alarm standard specified in the Table to this section for the parameter, and
 - B. within two minutes, a further test result indicated that the parameter was no longer above the maximum alarm standard or below the minimum alarm standard, as the case may be,

- ii. a record of a test result indicates that an alarm should have sounded under paragraph 1, or
 - iii. there is good reason to believe that the continuous monitoring equipment has malfunctioned or lost power.
4. A person who is dispatched under paragraph 3 must arrive at the location where tests are conducted as soon as possible.

(7) Clause 6-7 (1) (b) of Schedule 6 to the Regulation is amended by striking out “a professional engineer certifies” and substituting “a professional engineer states”.

18. (1) Subsection 7-2 (3) of Schedule 7 to the Regulation is revoked and the following substituted:

(3) The owner of a large municipal residential system that provides secondary disinfection and the operating authority for the system shall ensure that at least seven distribution samples are taken each week in accordance with subsection (4) and are tested immediately for,

- (a) free chlorine residual, if the system provides chlorination and does not provide chloramination; or
- (b) combined chlorine residual, if the system provides chloramination.

(4) The following rules apply to the distribution samples referred to in subsection (3) unless at least one sample is taken on each day of the week:

- 1. At least four of the samples must be taken on one day of the week, at least 48 hours after the last sample was taken in the previous week.
- 2. At least three of the samples must be taken on a second day of the week, at least 48 hours after the last sample was taken on the day referred to in paragraph 1.
- 3. When more than one sample is taken on the same day of the week under paragraph 1 or 2, each sample must be taken from a different location.

(5) The owner of a small municipal residential system that provides secondary disinfection and the operating authority for the system shall ensure that at least two distribution samples are taken each week in accordance with subsection (6) and are tested immediately for,

- (a) free chlorine residual, if the system provides chlorination and does not provide chloramination; or
- (b) combined chlorine residual, if the system provides chloramination.

(6) At least one of the distribution samples referred to in subsection (5) must be taken at least 48 hours after, and during the same week as, one of the other distribution samples referred to in subsection (5).

(2) Section 7-3 of Schedule 7 to the Regulation is amended by adding the following subsection:

(1.1) If the drinking-water system obtains water from a raw water supply that is ground water, the owner of the system and the operating authority for the system shall ensure that a sample is taken under subsection (1) from each well that is supplying water to the system.

(3) Section 7-4 of Schedule 7 to the Regulation is revoked and the following substituted:

Fluoride

7-4. If a drinking-water system provides fluoridation, the owner of the system and the operating authority for the system shall ensure that a water sample is taken at the end of the fluoridation process at least once every day and is tested for fluoride.

(4) Section 7-5 of Schedule 7 to the Regulation is amended by adding the following subsection:

(1.1) Despite subsection (1), a test required by section 7-2 or 7-3 at a small municipal residential system may be conducted by a person who is not a certified operator or water quality analyst if the person,

- (a) has been trained by a certified operator to conduct the test;
- (b) works under the supervision of a certified operator; and
- (c) immediately advises a certified operator of all test results.

19. (1) Subsection 8-3 (3) of Schedule 8 to the Regulation is revoked and the following substituted:

(3) The owner of a drinking-water system that provides secondary disinfection and the operating authority for the system shall ensure that at least two distribution samples are taken each week in accordance with subsection (3.1) and are tested immediately for,

- (a) free chlorine residual, if the system provides chlorination and does not provide chloramination; or
- (b) combined chlorine residual, if the system provides chloramination.

(3.1) At least one of the distribution samples referred to in subsection (3) must be taken at least 48 hours after, and during the same week as, one of the other distribution samples referred to in subsection (3).

(2) Section 8-4 of Schedule 8 to the Regulation is amended by adding the following subsections:

(1.1) If the drinking-water system obtains water from a raw water supply that is ground water, the owner of the system and the operating authority for the system shall ensure that a sample is taken under subsection (1) from each well that is supplying water to the system.

(3.1) Subsections (2) and (3) do not apply to a large municipal non-residential system or large non-municipal non-residential system that provides ultraviolet light disinfection equipment for primary disinfection and does not use chlorination or chloramination for primary disinfection, if,

- (a) section 2-6 of Schedule 2 is complied with; and
- (b) the ultraviolet light disinfection equipment has a feature that ensures that no water is directed to users of water treated by the equipment in the event that the equipment malfunctions, loses power or ceases to provide the appropriate level of disinfection.

(3) Section 8-5 of Schedule 8 to the Regulation is amended by adding the following subsection:

(1.1) Despite subsection (1), a test required by this Schedule may be conducted by a person who is not a certified operator or water quality analyst if the person,

- (a) has been trained by a certified operator to conduct the test;
- (b) works under the supervision of a certified operator; and
- (c) immediately advises a certified operator of all test results.

(4) Schedule 8 to the Regulation is amended by adding the following section:

Non-municipal year-round residential system: certified operators

8-6.1 If, pursuant to subsection 2-11 (1) or (2) of Schedule 2, the owner of a non-municipal year-round residential system is not required to comply with provisions of that Schedule, a reference in this Schedule to a certified operator shall be deemed, with respect to that system, to be a reference to any person.

20. (1) Subsection 9-3 (3) of Schedule 9 to the Regulation is revoked and the following substituted:

(3) The owner of a drinking-water system that provides secondary disinfection and the operating authority for the system shall ensure that at least two distribution samples are taken each week in accordance with subsection (3.1) and are tested immediately for,

- (a) free chlorine residual, if the system provides chlorination and does not provide chloramination; or
- (b) combined chlorine residual, if the system provides chloramination.

(3.1) At least one of the distribution samples referred to in subsection (3) must be taken at least 48 hours after, and during the same week as, one of the other distribution samples referred to in subsection (3).

(2) Section 9-4 of Schedule 9 to the Regulation is amended by adding the following subsection:

(2.1) Subsections (1) and (2) do not apply to a small municipal non-residential system or small non-municipal non-residential system that provides ultraviolet light disinfection equipment for primary disinfection and does not use chlorination or chloramination for primary disinfection, if,

- (a) section 2-6 of Schedule 2 is complied with; and
- (b) the ultraviolet light disinfection equipment has a feature that ensures that no water is directed to users of water treated by the equipment in the event that the equipment malfunctions, loses power or ceases to provide the appropriate level of disinfection.

(3) Section 9-5 of Schedule 9 to the Regulation is amended by adding the following subsection:

(1.1) Despite subsection (1), a test required by this Schedule may be conducted by a person who is not a trained person or water quality analyst if the person,

- (a) has been trained by a certified operator to conduct the test;
- (b) works under the supervision of a certified operator; and
- (c) immediately advises a certified operator of all test results.

(4) Subsection 9-6 (2) of Schedule 9 to the Regulation is revoked and the following substituted:

(2) Sections 9-2 to 9-4 do not apply to a non-municipal seasonal residential system during a period of 60 or more consecutive days when the system,

- (a) is not supplying water to any designated facilities or public facilities that are open;
- (b) is not supplying water to any major residential development; and
- (c) is not supplying water to any trailer park or campground that has more than five service connections.

21. (1) Clause 10-2 (2) (a) of Schedule 10 to the Regulation is revoked and the following substituted:

- (a) *Escherichia coli*; and

(2) Subsection 10-2 (3) of Schedule 10 to the Regulation is revoked and the following substituted:

(3) The owner of the drinking-water system and the operating authority for the system shall ensure that at least 25 per cent of the samples required to be taken under subsection (1) are tested for general bacteria population expressed as colony counts on a heterotrophic plate count.

(3) Clause 10-3 (a) of Schedule 10 to the Regulation is revoked and the following substituted:

- (a) *Escherichia coli*;

(4) Clause 10-3 (c) of Schedule 10 to the Regulation is revoked and the following substituted:

- (c) general bacteria population expressed as colony counts on a heterotrophic plate count.

(5) Clause 10-4 (3) (a) of Schedule 10 to the Regulation is revoked and the following substituted:

- (a) *Escherichia coli*; and

(6) Section 10-5 of Schedule 10 to the Regulation is revoked.

22. (1) Paragraph 2 of section 11-1 of Schedule 11 to the Regulation is revoked.

(2) Paragraph 4 of section 11-1 of Schedule 11 to the Regulation is revoked.

(3) Subsection 11-2 (1) of Schedule 11 to the Regulation is revoked and the following substituted:

Distribution samples

(1) The owner of a drinking-water system and the operating authority for the system shall ensure that,

- (a) at least one distribution sample is taken every two weeks, if the system provides treatment equipment in accordance with Schedule 1 or 2 and the equipment is operated in accordance with that Schedule; or
- (b) at least one distribution sample is taken every week, if clause (a) does not apply.

(4) Clause 11-2 (2) (a) of Schedule 11 to the Regulation is revoked and the following substituted:

- (a) *Escherichia coli*;

(5) Clause 11-2 (2) (c) of Schedule 11 to the Regulation is revoked and the following substituted:

- (c) if section 1-5 of Schedule 1 or subsection 2-5 (1) of Schedule 2 applies to the system, general bacteria population expressed as colony counts on a heterotrophic plate count.

(6) Subsections 11-2 (3) to (5) of Schedule 11 to the Regulation are revoked.

(7) Subsections 11-2 (6) and (7) of Schedule 11 to the Regulation are revoked and the following substituted:

(6) If a drinking-water system uses point of entry treatment units, the samples taken under subsection (1) shall be taken from locations downstream of the point of entry treatment units and shall be taken on a rotational basis so that a sample is taken from a location downstream of each point of entry treatment unit at least once every 24 months.

(8) Subsections 11-3 (1) and (2) of Schedule 11 to the Regulation are revoked and the following substituted:

Raw water samples

(1) If a drinking-water system obtains water from a raw water supply that is ground water or a drinking-water system is deemed under section 2 to obtain water from a raw water supply that is surface water, the owner of the system and the operating authority for the system shall ensure that a water sample is taken at least once every month from the raw water in each well that is supplying water to the system, before any treatment is applied to the water.

(9) Clause 11-3 (3) (a) of Schedule 11 to the Regulation is revoked and the following substituted:

- (a) *Escherichia coli*; and

23. (1) Section 12-1 of Schedule 12 to the Regulation is amended by adding the following paragraphs:

0.1 Large municipal non-residential systems.

2.1 Large non-municipal non-residential systems.

(2) Subsection 12-2 (1) of Schedule 12 to the Regulation is revoked and the following substituted:

Distribution samples

(1) The owner of a drinking-water system and the operating authority for the system shall ensure that,

- (a) at least one distribution sample is taken every month, if the system provides treatment equipment in accordance with Schedule 2 and the equipment is operated in accordance with that Schedule; or
- (b) at least one distribution sample is taken every two weeks, if clause (a) does not apply.

(3) Clause 12-2 (3) (a) of Schedule 12 to the Regulation is revoked and the following substituted:

(a) *Escherichia coli*;

(4) Clause 12-2 (3) (c) of Schedule 12 to the Regulation is revoked and the following substituted:

(c) if subsection 2-5 (1) of Schedule 2 applies to the system, general bacteria population expressed as colony counts on a heterotrophic plate count.

(5) Subsections 12-2 (4), (5) and (6) of Schedule 12 to the Regulation are revoked.

(6) Subsection 12-2 (7) of Schedule 12 to the Regulation is revoked and the following substituted:

(7) If a drinking-water system uses point of entry treatment units, the samples taken under subsection (1) shall be taken from locations downstream of the point of entry treatment units and,

- (a) in the case of a non-municipal seasonal residential system that serves a major residential development, the samples shall be taken on a rotational basis so that a sample is taken from a location downstream of each point of entry treatment unit at least once every 24 months; and
- (b) in any other case, the samples shall be taken on a rotational basis so that, after a sample is taken from a location downstream of a particular point of entry treatment unit, another sample is not taken from a location downstream of that unit until samples have been taken from locations downstream of all the other point of entry treatment units.

(7) Subsection 12-2 (8) of Schedule 12 to the Regulation is revoked.

(8) Subsections 12-3 (1) and (2) of Schedule 12 to the Regulation are revoked and the following substituted:

Raw water samples

(1) If a drinking-water system obtains water from a raw water supply that is ground water or a drinking-water system is deemed under section 2 to obtain water from a raw water supply that is surface water, the owner of the system and the operating authority for the system shall ensure that a water sample is taken at least once every month from the raw water in each well that is supplying water to the system, before any treatment is applied to the water.

(9) Clause 12-3 (3) (a) of Schedule 12 to the Regulation is revoked and the following substituted:

(a) *Escherichia coli*; and

(10) Section 12-4 of Schedule 12 to the Regulation is revoked and the following substituted:

Seven-day shutdowns, etc.

12-4. (1) Sections 12-2 and 12-3 do not apply to a large municipal non-residential system, small municipal non-residential system, large non-municipal non-residential system or small non-municipal non-residential system during a period of seven or more consecutive days when the system is not supplying water to any designated facilities or public facilities that are open.

(2) Sections 12-2 and 12-3 do not apply to a non-municipal seasonal residential system during a period of seven or more consecutive days when the system,

- (a) is not supplying water to any designated facilities or public facilities that are open;
- (b) is not supplying water to any major residential development; and
- (c) is not supplying water to any trailer park or campground that has more than five service connections.

(3) If, pursuant to subsection (1) or (2), sections 12-2 and 12-3 do not apply to a drinking-water system during a period of seven or more consecutive days, the owner of the system and the operating authority for the system shall ensure that no drinking water is supplied to a user of water after that period until samples have been taken and tested under sections 12-2 and 12-3 and the results of the tests have been received by the owner and the operating authority.

24. (1) Paragraph 3 of section 13-1 of Schedule 13 to the Regulation is revoked.

(2) Paragraph 5 of section 13-1 of Schedule 13 to the Regulation is revoked.

(3) Section 13-2 of Schedule 13 to the Regulation is revoked and the following substituted:

Inorganics

13-2. (1) The owner of a large municipal residential system and the operating authority for the system shall ensure that,

- (a) at least one water sample is taken every 12 months, if the system obtains water from a raw water supply that is surface water; or
- (b) at least one water sample is taken every 36 months, if the system obtains water from a raw water supply that is ground water.

(2) The owner of a large municipal residential system and the operating authority for the system shall ensure that each of the samples taken under subsection (1) is tested for every parameter set out in Schedule 23.

(3) The owner of a small municipal residential system or non-municipal year-round residential system and the operating authority for the system shall ensure that at least one water sample is taken every 60 months and tested for every parameter set out in Schedule 23.

(4) Section 13-4 of Schedule 13 to the Regulation is revoked and the following substituted:

Organics

13-4. (1) The owner of a large municipal residential system and the operating authority for the system shall ensure that,

- (a) at least one water sample is taken every 12 months, if the system obtains water from a raw water supply that is surface water; or
- (b) at least one water sample is taken every 36 months, if the system obtains water from a raw water supply that is ground water.

(2) The owner of a large municipal residential system and the operating authority for the system shall ensure that each of the samples taken under subsection (1) is tested for every parameter set out in Schedule 24.

(3) The owner of a small municipal residential system or non-municipal year-round residential system and the operating authority for the system shall ensure that at least one water sample is taken every 60 months and tested for every parameter set out in Schedule 24.

25. Schedule 14 to the Regulation is revoked.

26. (1) Section 15-1 of Schedule 15 to the Regulation is revoked and the following substituted:

Application

15-1. This Schedule applies to the following drinking-water systems:

- 1. Large municipal non-residential systems.
- 2. Small municipal non-residential systems.
- 3. Non-municipal seasonal residential systems.
- 4. Large non-municipal non-residential systems.
- 5. Small non-municipal non-residential systems.

(2) Subsection 15-4 (2) of Schedule 15 to the Regulation is revoked and the following substituted:

(2) Subsection (1) does not apply to a large municipal non-residential system, small municipal non-residential system, large non-municipal non-residential system or small non-municipal non-residential system during a period of 60 or more consecutive days when the system is not supplying water to any designated facilities or public facilities that are open.

(3) Subsection (1) does not apply to a non-municipal seasonal residential system during a period of 60 or more consecutive days when the system,

- (a) is not supplying water to any designated facilities or public facilities that are open;
- (b) is not supplying water to any major residential development; and
- (c) is not supplying water to any trailer park or campground that has more than five service connections.

27. (1) Paragraphs 4 and 5 of section 16-3 of Schedule 16 to the Regulation are revoked and the following substituted:

4. If the drinking-water system is required to provide secondary disinfection in accordance with section 1-5 of Schedule 1 or section 2-5 of Schedule 2, the system provides chlorination, the system does not provide chloramination and a report under subsection 18 (1) of the Act has not been made in respect of free chlorine residual in the preceding 24 hours, a result indicating that the concentration of free chlorine residual is less than 0.05 milligrams per litre in,

- i. a distribution sample that is a grab sample, or
- ii. two distribution samples that are tested by continuous monitoring equipment, if the two samples were taken 15 minutes or more apart and the later of the two samples was the first sample that was taken 15 minutes or more after the earlier sample.

5. If the drinking-water system is required to provide secondary disinfection in accordance with section 1-5 of Schedule 1 or section 2-5 of Schedule 2, the system provides chloramination and a report under subsection 18 (1) of the Act has not been made in respect of combined chlorine residual in the preceding 24 hours, a result indicating that the concentration of combined chlorine residual is less than 0.25 milligrams per litre and the concentration of free chlorine residual is less than 0.05 milligrams per litre in,

- i. a distribution sample that is a grab sample, or
- ii. two distribution samples that are tested by continuous monitoring equipment, if the two samples were taken 15 minutes or more apart and the later of the two samples was the first sample that was taken 15 minutes or more after the earlier sample.

(2) Subparagraph 6 ii of section 16-3 of Schedule 16 to the Regulation is revoked and the following substituted:

- ii. two samples of water from a filter effluent line that are tested by continuous monitoring equipment, if,
 - A. two samples were taken 15 minutes or more apart and the later of the two samples was the first sample that was taken 15 minutes or more after the earlier sample, and
 - B. the filter effluent line is directing water to the next stage of the treatment process.

(3) Section 16-3 of Schedule 16 to the Regulation is amended by adding the following subsection:

(2) Despite subsection (1), a result is not an adverse test result of a drinking-water test for the purpose of section 18 of the Act if,

- (a) the result indicates compliance with a condition in an approval or licence that was imposed under clause 38 (2) (b), 46 (2) (b) or 60 (2) (b) of the Act; and
- (b) the test was conducted at the drinking-water system or the owner or operating authority for the system gave written notice of the condition referred to in clause (a) to the laboratory that conducted the test.

(4) Section 16-4 of Schedule 16 to the Regulation is revoked and the following substituted:

Duty to report other observations

16-4. If an observation other than an adverse test result prescribed by section 16-3 indicates that a drinking-water system that provides or is required to provide disinfection is directing water to users of water from the system that has not been disinfected in accordance with the Ministry's *Procedure for Disinfection of Drinking Water in Ontario*,

- (a) the owner of the system shall report to the Ministry and the medical officer of health immediately after the observation is made; or
- (b) if an operating authority is responsible for the operation of the system, the operating authority shall report to the Ministry, the medical officer of health and the owner of the system immediately after the observation is made.

(5) Subsection 16-5 (1) of Schedule 16 to the Regulation is revoked and the following substituted:

Report to designated facilities

(1) An owner of a drinking-water system who is required to report under subsection 18 (1) of the Act or clause 16-4 (a) or who receives a report under clause 16-4 (b) shall report to the operator of each designated facility served by the system immediately after making the report under subsection 18 (1) of the Act or clause 16-4 (a) or receiving the report under clause 16-4 (b).

(6) Section 16-8 of Schedule 16 to the Regulation is amended by adding the following subsections:

(1.1) Subsection (1) does not apply to an immediate report given by the owner of a drinking-water system if the report relates to an adverse test result from a test that was not conducted at the system.

(1.2) If the person operating a laboratory gives an immediate report under section 18 of the Act in respect of a result that exceeds any of the standards prescribed by Schedule 1 to the Ontario Drinking-Water Quality Standards for a water sample that was required, by this Regulation or an approval or order, including an OWRA approval or OWRA order, to be tested for

a microbiological parameter, and the laboratory received notice of the test result for the other sample that, under section 6-3 of Schedule 6, was required to be taken and tested for free chlorine residual or combined chlorine residual, the immediate report must also specify that test result.

(7) Subsection 16-8 (2) of Schedule 16 to the Regulation is amended by striking out “by the owner of a drinking-water system” in the portion before clause (a).

(8) Subsection 16-8 (3) of Schedule 16 to the Regulation is revoked and the following substituted:

(3) Subsection (2) does not apply to a report given under paragraph 2 of subsection 18 (1) of the Act by a person operating a laboratory.

(4) Subject to subsection (3), subsections (1) to (2) also apply, with necessary modifications, to the written notice given under section 16-7.

(9) Schedule 16 to the Regulation is amended by adding the following section:

Operating authorities

16-10. An operating authority that has agreed with the owner of a drinking-water system to give reports or notices on behalf of the owner under section 18 of the Act or this Schedule shall comply with the agreement.

28. (1) Paragraph 1 of section 17-4 of Schedule 17 to the Regulation is revoked and the following substituted:

1. Immediately flush the watermain and restore secondary disinfection to ensure that,
 - i. a free chlorine residual of at least 0.05 milligrams per litre is achieved at all points in the affected parts of the distribution system, if the drinking-water system provides chlorination and does not provide chloramination, or
 - ii. a combined chlorine residual of at least 0.25 milligrams per litre is achieved at all points in the affected parts of the distribution system, if the drinking-water system provides chloramination.

(2) Section 17-5 of Schedule 17 to the Regulation is amended by striking out “in respect of *Escherichia coli* (E. coli) or fecal coliforms, the owner” in the portion before paragraph 1 and substituting “in respect of *Escherichia coli* (E. coli), the owner”.

(3) Paragraph 3 of section 17-5 of Schedule 17 to the Regulation is amended by striking out “until *Escherichia coli* (E. coli) or fecal coliforms are not detected” and substituting “until *Escherichia coli* (E. coli) is not detected”.

(4) Paragraph 1 of section 17-6 of Schedule 17 to the Regulation is revoked and the following substituted:

1. Resample and test as soon as reasonably possible.

(5) Sections 17-7 and 17-8 of Schedule 17 to the Regulation are revoked.

(6) Paragraph 1 of section 17-9 of Schedule 17 to the Regulation is revoked and the following substituted:

1. Resample and test as soon as reasonably possible.

(7) Paragraph 1 of section 17-10 of Schedule 17 to the Regulation is revoked and the following substituted:

1. Resample and test as soon as reasonably possible.

(8) Paragraph 1 of section 17-11 of Schedule 17 to the Regulation is revoked and the following substituted:

1. Resample and test as soon as reasonably possible.

(9) Paragraph 1 of section 17-12 of Schedule 17 to the Regulation is revoked and the following substituted:

1. Resample and test as soon as reasonably possible.

(10) Paragraph 1 of section 17-13 of Schedule 17 to the Regulation is revoked and the following substituted:

1. Resample and test as soon as reasonably possible.

29. (1) Paragraph 2 of section 18-2 of Schedule 18 to the Regulation is revoked and the following substituted:

2. Immediately take all reasonable steps to notify all users of water from the system to use an alternate source of drinking water or, if no alternate source is available, to bring water to a rapid rolling boil for at least one minute before use.

(2) Subparagraph 4 i of section 18-3 of Schedule 18 to the Regulation is revoked and the following substituted:

- i. immediately take all reasonable steps to notify all users of water from the system to use an alternate source of drinking water or, if no alternate source is available, to bring water to a rapid rolling boil for at least one minute before use,

(3) Paragraphs 1 and 2 of section 18-4 of Schedule 18 to the Regulation are revoked and the following substituted:

1. Immediately flush the distribution system and any plumbing owned by the owner of the drinking-water system, and restore secondary disinfection to ensure that,
 - i. a free chlorine residual of at least 0.05 milligrams per litre is quickly achieved at all points in the affected parts of the distribution system and plumbing, if the drinking-water system provides chlorination and does not provide chloramination, or
 - ii. a combined chlorine residual of at least 0.25 milligrams per litre is quickly achieved at all points in the affected parts of the distribution system and plumbing, if the drinking-water system provides chloramination.
2. If the drinking-water system provides chlorination, the system does not provide chloramination and a free chlorine residual of at least 0.05 milligrams per litre cannot be quickly achieved at all points in the affected parts of the distribution system and plumbing, immediately take all reasonable steps to notify all users of water from the system to use an alternate source of drinking water or, if no alternate source is available, to bring water to a rapid rolling boil for at least one minute before use.
- 2.1 If the drinking-water system provides chloramination and a combined chlorine residual of at least 0.25 milligrams per litre cannot be quickly achieved at all points in the affected parts of the distribution system and plumbing, immediately take all reasonable steps to notify all users of water from the system to use an alternate source of drinking water or, if no alternate source is available, to bring water to a rapid rolling boil for at least one minute before use.

(4) Sections 18-5 and 18-6 of Schedule 18 to the Regulation are revoked and the following substituted:

Escherichia coli (*E. coli*)

18-5. If a report is required to be made under section 18 of the Act in respect of *Escherichia coli* (*E. coli*), the owner of the drinking-water system and the operating authority for the system shall ensure that the following corrective action is taken:

1. Immediately take all reasonable steps to notify all users of water from the system to use an alternate source of drinking water or, if no alternate source is available, to bring water to a rapid rolling boil for at least one minute before use.
2. Immediately resample and test.
3. Immediately increase the chlorine dose and flush the distribution system and any plumbing owned by the owner of the drinking-water system to ensure that,
 - i. a free chlorine residual of at least 0.2 milligrams per litre is achieved at all points in the affected parts of the distribution system and plumbing, if the drinking-water system provides chlorination and does not provide chloramination, or
 - ii. a combined chlorine residual of at least 1.0 milligrams per litre is achieved at all points in the affected parts of the distribution system and plumbing, if the drinking-water system provides chloramination.
4. If the drinking-water system provides chlorination or chloramination, maintain the free chlorine residual or combined chlorine concentration referred to in paragraph 3 in the affected parts of the distribution system and plumbing, and continue to resample and test, until *Escherichia coli* (*E. coli*) is not detected in any of the samples from two consecutive sets of samples taken 24 to 48 hours apart or as otherwise directed by the medical officer of health.
5. If the drinking-water system does not provide chlorination or chloramination, immediately take the relevant corrective action steps described in the Ministry's *Procedure for Corrective Action for Systems Not Currently Using Chlorine*.
6. Take such other steps as are directed by the medical officer of health.

Total coliforms

18-6. If a report is required to be made under section 18 of the Act in respect of total coliforms, the owner of the drinking-water system and the operating authority for the system shall ensure that the following corrective action is taken:

1. Resample and test as soon as reasonably possible.
2. If total coliforms are detected under paragraph 1, immediately increase the chlorine dose and flush the distribution system and any plumbing owned by the owner of the drinking-water system to ensure that,
 - i. a free chlorine residual of at least 0.2 milligrams per litre is achieved at all points in the affected parts of the distribution system and plumbing, if the drinking-water system provides chlorination and does not provide chloramination, or
 - ii. a combined chlorine residual of at least 1.0 milligrams per litre is achieved at all points in the affected parts of the distribution system and plumbing, if the drinking-water system provides chloramination.

3. If total coliforms are detected under paragraph 1 and the drinking-water system provides chlorination or chloramination, maintain the free chlorine residual or combined chlorine concentration referred to in paragraph 2 in the affected parts of the distribution system and plumbing, and continue to resample and test, until total coliforms are not detected in any of the samples from two consecutive sets of samples taken 24 to 48 hours apart or as otherwise directed by the medical officer of health.
4. If total coliforms are detected under paragraph 1 and the drinking-water system does not provide chlorination or chloramination, immediately take the relevant corrective action steps described in the Ministry's *Procedure for Corrective Action for Systems Not Currently Using Chlorine*.
5. Take such other steps as are directed by the medical officer of health.

(5) Sections 18-7 and 18-8 of Schedule 18 to the Regulation are revoked.

(6) Section 18-9 of Schedule 18 to the Regulation is revoked and the following substituted:

Aeromonas spp., etc.

18-9. If a report is required to be made under section 18 of the Act in respect of *Aeromonas* spp., *Pseudomonas aeruginosa*, *Staphylococcus aureus*, *Clostridium* spp. or fecal *streptococci* (Group D *streptococci*), the owner of the drinking-water system and the operating authority for the system shall ensure that the following corrective action is taken:

1. Resample and test as soon as reasonably possible.
2. If *Aeromonas* spp., *Pseudomonas aeruginosa*, *Staphylococcus aureus*, *Clostridium* spp. or fecal *streptococci* (Group D *streptococci*) are detected under paragraph 1, immediately increase the chlorine dose and flush the distribution system and any plumbing owned by the owner of the drinking-water system to ensure that,
 - i. a free chlorine residual of at least 0.2 milligrams per litre is achieved at all points in the affected parts of the distribution system and plumbing, if the drinking-water system provides chlorination and does not provide chloramination, or
 - ii. a combined chlorine residual of at least 1.0 milligrams per litre is achieved at all points in the affected parts of the distribution system and plumbing, if the drinking-water system provides chloramination.
3. If *Aeromonas* spp., *Pseudomonas aeruginosa*, *Staphylococcus aureus*, *Clostridium* spp. or fecal *streptococci* (Group D *streptococci*) are detected under paragraph 1 and the drinking-water system provides chlorination or chloramination, maintain the free chlorine residual or combined chlorine concentration referred to in paragraph 2 in the affected parts of the distribution system and plumbing, and continue to resample and test, until *Aeromonas* spp., *Pseudomonas aeruginosa*, *Staphylococcus aureus*, *Clostridium* spp. or fecal *streptococci* (Group D *streptococci*) are not detected in any of the samples from two consecutive sets of samples taken 24 to 48 hours apart or as otherwise directed by the medical officer of health.
4. If *Aeromonas* spp., *Pseudomonas aeruginosa*, *Staphylococcus aureus*, *Clostridium* spp. or fecal *streptococci* (Group D *streptococci*) are detected under paragraph 1 and the drinking-water system does not provide chlorination or chloramination, immediately take the relevant corrective action steps described in the Ministry's *Procedure for Corrective Action for Systems Not Currently Using Chlorine*.
5. Take such other steps as are directed by the medical officer of health.

(7) Paragraph 1 of section 18-10 of Schedule 18 to the Regulation is revoked and the following substituted:

1. Resample and test as soon as reasonably possible.

(8) Paragraph 1 of section 18-11 of Schedule 18 to the Regulation is revoked and the following substituted:

1. Resample and test as soon as reasonably possible.

(9) Paragraph 1 of section 18-12 of Schedule 18 to the Regulation is revoked and the following substituted:

1. Resample and test as soon as reasonably possible.

(10) Paragraph 1 of section 18-13 of Schedule 18 to the Regulation is revoked and the following substituted:

1. Resample and test as soon as reasonably possible.

30. Clause 19-2 (1) (a) of Schedule 19 to the Regulation is revoked and the following substituted:

- (a) the owner or operating authority is required under Schedule 18 to take all reasonable steps to ensure that all users of water from the system are notified to use an alternate source of drinking water or, if no alternate source is available, to bring water to a rapid rolling boil for at least one minute before use; or

31. Schedule 20 to the Regulation is revoked.

32. (1) Subsection 21-2 (1) of Schedule 21 to the Regulation is amended by striking out “after sections 2-2 to 2-6 begin to apply” and substituting “after paragraph 2 of subsection 2-2 (1) begins to apply”.

(2) Subsection 21-2 (3) of Schedule 21 to the Regulation is revoked and the following substituted:

(3) If an OWRA approval was granted after August 1, 2000 in respect of the system and the owner of the system gives the Director a written statement by a professional engineer who has experience in sanitary engineering related to drinking-water systems stating that,

(a) the professional engineer or a person under his or her supervision has visited the system; and

(b) in the professional engineer’s opinion,

(i) all equipment required in order to ensure compliance with Schedule 2 is being provided, and

(ii) all equipment required in order to ensure compliance with Schedules 6, 8 and 9 is being provided,

the owner of the system shall be deemed to have complied with subsection (1) and with the owner’s first obligation to give a notice to the Director under section 21-7, and, for the purpose of this Schedule, the report required by subsection (1) shall be deemed to have been required to be prepared not later than the date the OWRA approval was granted.

(3) Section 21-3 of Schedule 21 to the Regulation is amended by adding the following subsection:

(3) Subsection (1) does not apply to a non-municipal year-round residential system if, pursuant to subsection 2-11 (2) of Schedule 2, paragraph 2 of section 2-2 of Schedule 2 does not apply to the system immediately after it commences operation, but, if that paragraph later applies to the system, the owner of the system shall ensure that, not later than 30 days after the date that paragraph begins to apply, a professional engineer who has experience in sanitary engineering related to drinking-water systems prepares a report that complies with section 21-5.

(4) Section 21-4 of Schedule 21 to the Regulation is revoked.

(5) Clause 21-5 (b) of Schedule 21 to the Regulation is amended by striking out the portion before subclause (i) and substituting the following:

(b) the professional engineer who prepares the report states in the report that the professional engineer or a person under his or her supervision has visited the drinking-water system and that, in the professional engineer’s opinion,

.....

(6) Section 21-6 of Schedule 21 to the Regulation is amended by striking out “a report under section 21-2, 21-3 or 21-4” and substituting “a report under section 21-2 or 21-3”.

RÈGLEMENT DE L’ONTARIO 247/06

pris en application de la

LOI DE 2002 SUR LA SALUBRITÉ DE L’EAU POTABLE

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modifiant le Règl. de l’Ont. 170/03

(Réseaux d’eau potable)

Remarque : Le Règlement de l’Ontario 170/03 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l’historique législatif des règlements qui se trouve sur le site www.lois-en-ligne.gouv.on.ca.

1. (1) Le paragraphe 1 (1) du Règlement de l’Ontario 170/03 est modifié par adjonction de la définition suivante :
«mois» Mois civil. («month»)

(2) L’alinéa a) de la définition de «branchement d’eau» au paragraphe 1 (1) du Règlement est abrogé et remplacé par ce qui suit :

a) tout point où un réseau d’eau potable est raccordé à une installation de plomberie, sauf une installation de plomberie dans un parc à roulettes ou un terrain de camping;

(3) Le paragraphe 1 (1) du Règlement est modifié par adjonction de la définition suivante :

«semaine» Période de sept jours commençant le dimanche et se terminant le samedi suivant. («week»)

2. Le tableau de l'article 4 du Règlement est abrogé et remplacé par ce qui suit :

TABLEAU

| Point | Réseaux d'eau potable | Annexes applicables | | | | |
|-------|--|---------------------|---|---|----------|---------------------------------|
| | | Traitement | Vérifications de fonctionnement, échantillonnage et analyse | Résultats d'analyse insatisfaisants et autres problèmes | Rapports | Paramètres d'analyses chimiques |
| 1. | Gros réseaux résidentiels municipaux | 1, 4 | 6, 7, 10, 13 | 16, 17 | 22 | 23, 24 |
| 2. | Petits réseaux résidentiels municipaux | 1, 3, 4 | 6, 7, 11, 13 | 16, 18, 19 | 22 | 23, 24 |
| 3. | Gros réseaux non résidentiels municipaux | 2, 3, 5 | 6, 8, 12, 15 | 16, 18, 19 | 21 | 23, 24 |
| 4. | Petits réseaux non résidentiels municipaux | 2, 3, 5 | 6, 9, 12, 15 | 16, 18, 19 | 21 | 23, 24 |
| 5. | Réseaux résidentiels toutes saisons non municipaux | 2, 3, 5 | 6, 8, 11, 13 | 16, 18, 19 | 21 | 23, 24 |
| 6. | Réseaux résidentiels saisonniers non municipaux | 2, 3, 5 | 6, 9, 12, 15 | 16, 18, 19 | 21 | 23, 24 |
| 7. | Gros réseaux non résidentiels et non municipaux | 2, 3, 5 | 6, 8, 12, 15 | 16, 18, 19 | 21 | 23, 24 |
| 8. | Petits réseaux non résidentiels et non municipaux | 2, 3, 5 | 6, 9, 12, 15 | 16, 18, 19 | 21 | 23, 24 |

3. (1) Le paragraphe 5 (1) du Règlement est abrogé et remplacé par ce qui suit :**Exemptions : réseaux résidentiels**

(1) Les annexes 1, 7, 10, 11 et 13, sauf les dispositions suivantes, ne s'appliquent pas à un gros ou un petit réseau résidentiel municipal qui est alimenté en eau entièrement par un réseau d'eau potable visé au paragraphe (1.1) :

1. L'article 7-1, les paragraphes 7-2 (3) à (6) et l'article 7-5 de l'annexe 7.
2. Les articles 10-1 et 10-2 de l'annexe 10.
3. Les articles 11-1, 11-2 et 11-4 de l'annexe 11.
4. Les articles 13-1, 13-3, 13-5, 13-6, 13-10 et 13-11 de l'annexe 13.

(1.1) Le paragraphe (1) s'applique si le réseau d'eau potable d'où provient l'eau réunit les conditions suivantes :

- a) il est un gros ou un petit réseau résidentiel municipal auquel s'applique le présent règlement;
- b) il assure la désinfection primaire conformément à l'article 1-3 de l'annexe 1, ou assure la filtration et la désinfection primaire conformément à l'article 1-4 de l'annexe 1;
- c) il assure la désinfection secondaire conformément à l'article 1-5 de l'annexe 1.

(2) Le paragraphe 5 (2) du Règlement est modifié par substitution de ce qui suit au passage qui précède la disposition 1 :

(2) Les annexes 2, 8, 11 et 13, sauf les dispositions suivantes, ne s'appliquent pas à un réseau résidentiel toutes saisons non municipal qui est alimenté en eau entièrement par un réseau d'eau potable visé au paragraphe (3.1) :

(3) La disposition 1 du paragraphe 5 (2) du Règlement est abrogée et remplacée par ce qui suit :

1. Les articles 8-1 et 8-2, les paragraphes 8-3 (3) et (3.1) et les articles 8-5 et 8-7 de l'annexe 8.

(4) Le paragraphe 5 (3) du Règlement est abrogé et remplacé par ce qui suit :

(3) Les annexes 2, 9, 12 et 15, sauf les dispositions suivantes, ne s'appliquent pas à un réseau résidentiel saisonnier non municipal qui est alimenté en eau entièrement par un réseau d'eau potable visé au paragraphe (3.1) :

1. Les articles 9-1 et 9-2, les paragraphes 9-3 (3) et (3.1) et les articles 9-5, 9-6 et 9-8 de l'annexe 9.
2. Les articles 12-1, 12-2 et 12-4 de l'annexe 12.
3. Les articles 15-1, 15-3 et 15-7 de l'annexe 15.

(5) L'article 5 du Règlement est modifié par adjonction du paragraphe suivant :

(3.1) Les paragraphes (2) et (3) s'appliquent si le réseau d'eau potable d'où provient l'eau réunit les conditions suivantes :

- a) il est un réseau d'eau potable auquel s'applique le présent règlement;
- b) il assure la désinfection primaire conformément à l'article 1-3 de l'annexe 1 ou à l'article 2-3 de l'annexe 2, ou assure la filtration et la désinfection primaire conformément à l'article 1-4 de l'annexe 1 ou à l'article 2-4 de l'annexe 2;
- c) il assure la désinfection secondaire conformément à l'article 1-5 de l'annexe 1 ou à l'article 2-5 de l'annexe 2.

(6) Le paragraphe 5 (4) du Règlement est modifié par substitution de «sauf les articles 8.1, 9, 10 et 10.1 et les paragraphes 11 (2.1), (8) et (9)» à «sauf les articles 8.1 et 9 et les paragraphes 11 (2.1), (8) et (9)» dans le passage qui précède l'alinéa a).

(7) L'article 5 du Règlement est modifié par adjonction des paragraphes suivants :

(5) Si un réseau d'eau potable est alimenté par un autre réseau d'eau potable et que le propriétaire du réseau d'où provient l'eau a convenu par écrit de faire l'une ou l'autre des choses visées aux sous-alinéas 4 (b) i) et ii), le propriétaire respecte son engagement.

(6) Le présent article s'applique, que l'eau soit acheminée :

- a) par voie de branchements;
- b) par moyens de transport;
- c) par une combinaison des deux méthodes.

4. (1) Le paragraphe 6 (1) du Règlement est modifié par substitution de «sauf l'article 8.1, le paragraphe 9 (1), les articles 9.1, 10 et 10.1 et les paragraphes 11 (2.1), (8) et (9)» à «sauf l'article 8.1, le paragraphe 9 (1), l'article 10 et les paragraphes 11 (2.1), (8) et (9)» dans le passage qui précède l'alinéa a).

(2) Le paragraphe 6 (1) du Règlement est modifié par adjonction de l'alinéa suivant :

- a.1) le réseau d'eau potable d'où provient l'eau assure la désinfection primaire conformément à l'article 1-3 de l'annexe 1 ou à l'article 2-3 de l'annexe 2, ou assure la filtration et la désinfection primaire conformément à l'article 1-4 de l'annexe 1 ou à l'article 2-4 de l'annexe 2;

(3) L'article 6 du Règlement est modifié par adjonction du paragraphe suivant :

(3) Si un réseau d'eau potable est alimenté par un autre réseau d'eau potable et que le propriétaire du réseau d'où provient l'eau a convenu par écrit de faire l'une ou l'autre des choses visées aux sous-alinéas 1 (c) i) et ii), le propriétaire respecte son engagement.

5. (1) Le paragraphe 7 (1) du Règlement est modifié par substitution de ce qui suit au passage qui précède la disposition 1 :

Exemptions : réseaux non résidentiels recevant de l'eau transportée

(1) Les annexes 2, 3, 8, 9 et 11 à 15 ne s'appliquent pas à l'un des réseaux d'eau potable suivants si la totalité de son eau potable est transportée au réseau à partir d'un réseau d'eau potable visé au paragraphe (1.1) et que l'eau potable est entreposée dans un contenant qui est construit et entretenu de manière à empêcher les eaux de surface et autres matières étrangères d'entrer en contact avec elle :

(2) L'article 7 du Règlement est modifié par adjonction du paragraphe suivant :

(1.1) Le paragraphe (1) s'applique si le réseau d'eau potable d'où l'eau potable est transportée réunit les conditions suivantes :

- a) il assure la désinfection primaire conformément à l'article 1-3 de l'annexe 1 ou à l'article 2-3 de l'annexe 2, ou assure la filtration et la désinfection primaire conformément à l'article 1-4 de l'annexe 1 ou à l'article 2-4 de l'annexe 2;
- b) il assure la désinfection secondaire conformément à l'article 1-5 de l'annexe 1 ou à l'article 2-5 de l'annexe 2.

(3) Le paragraphe 7 (4) du Règlement est abrogé et remplacé par ce qui suit :

(4) Le paragraphe (2) ne s'applique pas à un réseau d'eau potable si toutes les conditions suivantes sont réunies :

- 1. Une unité de traitement au point d'entrée qui appartient au propriétaire du réseau d'eau potable ou qu'il prend à bail est raccordée à l'installation de plomberie de chaque bâtiment et autre construction que dessert le réseau et fait partie d'un établissement désigné ou d'une installation publique.
- 2. Aucune des unités de traitement au point d'entrée ne fait appel à la chloration ou à la chloramination.

3. Chaque unité de traitement au point d'entrée est, selon le cas :

- i. dotée d'un dispositif destiné à empêcher toute eau d'être dirigée vers les usagers de l'eau qu'elle traite si elle fait défaut, tombe en panne ou n'est plus en mesure d'assurer un niveau adéquat de désinfection,
- ii. conçue et exploitée conformément aux normes visées au paragraphe (5).

4. Si une unité de traitement au point d'entrée est dotée du dispositif visé à la sous-disposition 3 i et qu'elle fait défaut, tombe en panne ou n'est plus en mesure d'assurer un niveau adéquat de désinfection, une personne prend les mesures appropriées à l'endroit où est installée l'unité avant que l'eau ne soit de nouveau dirigée vers ses usagers.

(5) Les normes visées à la sous-disposition 3 ii du paragraphe (4) sont les suivantes :

1. L'unité de traitement au point d'entrée doit être dotée d'un dispositif qui déclenche immédiatement une sonnerie d'alarme aux endroits suivants si elle fait défaut, tombe en panne ou n'est plus en mesure d'assurer un niveau adéquat de désinfection :
 - i. Le bâtiment ou l'autre construction où est installée l'unité.
 - ii. Un endroit où une personne est présente, si quelqu'un n'est pas toujours présent à celui visé à la sous-disposition i.
 - iii. Chaque établissement désigné que dessert le réseau d'eau potable.
2. Si une sonnerie d'alarme est déclenchée en application de la disposition 1, une personne se trouvant sur les lieux du bâtiment ou de l'autre construction où est installée l'unité doit prendre les mesures appropriées ou une personne doit y être envoyée promptement pour ce faire.
3. La personne qui est envoyée, en application de la disposition 2, sur les lieux du bâtiment ou de l'autre construction où est installée l'unité doit y arriver dès que possible.

6. (1) La disposition 1 du paragraphe 8 (5) du Règlement est abrogée et remplacée par ce qui suit :

1. Les articles 8.1, 9, 9.1, 10 et 10.1.

(2) L'article 8 du Règlement est modifié par adjonction du paragraphe suivant :

(8.1) Le propriétaire du réseau d'eau potable veille à ce qu'une vérification qui est effectuée au cours d'une semaine pour l'application du paragraphe (8) soit effectuée de cinq à 10 jours après celle effectuée à cette fin au cours de la semaine précédente.

(3) L'alinéa 8 (9) b) du Règlement est modifié par substitution de «au moins 12 mois» à «au moins cinq ans».

7. L'article 8.1 du Règlement est modifié par adjonction du paragraphe suivant :

(5.1) L'article 12 de la Loi ne s'applique pas aux réseaux résidentiels toutes saisons non municipaux si, par l'effet de l'article 8-6.1 de l'annexe 8, la mention dans celle-ci d'un exploitant agréé vaut mention, à l'égard du réseau, de n'importe quelle personne.

8. Le Règlement est modifié par adjonction de l'article suivant :

Exemption : exigences de la Loi en matière de transfert de la propriété

9.1 L'article 51 de la Loi ne s'applique pas à un gros ou un petit réseau non résidentiel municipal.

9. Le Règlement est modifié par adjonction de l'article suivant :

Renseignements sur le réseau

10.1 (1) Le propriétaire d'un réseau d'eau potable dont l'exploitation débute après l'entrée en vigueur du présent article remet au directeur un avis écrit qui contient des renseignements sur le réseau dans les 30 jours qui suivent le début de l'exploitation.

(2) Le propriétaire d'un réseau d'eau potable dont l'exploitation a débuté avant l'entrée en vigueur du présent article remet au directeur un avis écrit qui contient des renseignements sur le réseau dans les 60 jours qui suivent l'entrée en vigueur du présent article.

(3) En cas de changement dans les renseignements communiqués au directeur en application du paragraphe (1) ou (2), le propriétaire du réseau d'eau potable avise le directeur par écrit du changement dans les 10 jours.

(4) Le propriétaire d'un réseau d'eau potable est réputé avoir remis un avis écrit au directeur conformément au paragraphe (2) si, avant l'entrée en vigueur du présent article, un avis ou un rapport écrit concernant le réseau a été remis au directeur selon une formule conforme à l'article 14.

10. (1) Le paragraphe 11 (1) du Règlement est modifié par suppression de «et remis au directeur».

(2) Le paragraphe 11 (2) du Règlement est modifié par substitution de «lorsqu'il est préparé» à «au moment où il est remis au directeur» dans le passage qui précède l'alinéa a).

(3) Le paragraphe 11 (2.1) du Règlement est modifié par substitution de «lorsqu'il est préparé» à «au moment où il est remis au directeur».

(4) Le paragraphe 11 (3) du Règlement est modifié par substitution de «être préparé» à «être remis au directeur» dans le passage qui précède la disposition 1.

(5) Le paragraphe 11 (4) du Règlement est modifié par substitution de «être préparé» à «être remis au directeur».

(6) Le paragraphe 11 (5) du Règlement est modifié par substitution de «être préparé» à «être remis au directeur».

(7) Le paragraphe 11 (18) du Règlement est abrogé et remplacé par ce qui suit :

(18) Si l'article 12 du Règlement de l'Ontario 459/00 et l'article 15 du Règlement de l'Ontario 505/01 ne s'appliquaient pas au propriétaire d'un réseau auquel s'applique le paragraphe (5), aucun rapport n'est obligé d'être préparé en application de ce paragraphe avant le 31 mai 2006 et, malgré celui-ci, le rapport qui doit être préparé au plus tard le 31 mai 2006 doit viser la période allant du 1^{er} juin 2005 au 31 mars 2006.

11. La disposition 4 du paragraphe 12 (1) du Règlement est abrogée et remplacée par ce qui suit :

4. Une copie de chaque rapport préparé en application de l'annexe 21 ou 22.

12. L'article 13 du Règlement est abrogé et remplacé par ce qui suit :

Conservation des dossiers

13. (1) Le propriétaire d'un réseau d'eau potable veille à ce que les documents et autres dossiers suivants soient conservés pendant au moins deux ans :

1. Chaque dossier ou rapport se rapportant à une analyse exigée en application de l'une ou l'autre des dispositions suivantes :

- i. L'article 7.
- ii. Les annexes 6 à 12.
- iii. Les articles 17-5 à 17-9 de l'annexe 17.
- iv. Les articles 18-5 à 18-9 de l'annexe 18.

2. Chaque dossier ou rapport se rapportant à une analyse exigée en application d'une approbation, d'une ordonnance ou d'un arrêté, y compris une approbation visée par la LREO ou un texte visé par la LREO, à moins qu'il ne se rapporte à un paramètre énoncé à l'annexe 23 ou 24 du présent règlement ou à l'annexe 3 du Règlement de l'Ontario 169/03 (Normes de qualité de l'eau potable de l'Ontario).

3. Chaque consignation faite en application du paragraphe 8-2 (5) de l'annexe 8 ou du paragraphe 9-2 (5) de l'annexe 9.

4. Chaque consignation faite en application du paragraphe 3-1.1 (6) ou (7) de l'annexe 3.

(2) Le propriétaire d'un réseau d'eau potable veille à ce que les documents et autres dossiers suivants soient conservés pendant au moins six ans :

1. Chaque dossier ou rapport se rapportant à une analyse exigée en application de l'une ou l'autre des dispositions suivantes :

- i. Le paragraphe 13-2 (2), l'article 13-3, le paragraphe 13-4 (2) et les articles 13-5, 13-6 et 13-7 de l'annexe 13.
- ii. L'article 15-4 de l'annexe 15.
- iii. Les articles 17-10 à 17-12 de l'annexe 17.

2. Chaque dossier ou rapport se rapportant à une analyse exigée en application d'une approbation, d'une ordonnance ou d'un arrêté, y compris une approbation visée par la LREO ou un texte visé par la LREO, s'il se rapporte à un paramètre énoncé à l'annexe 23 ou 24 du présent règlement ou à l'annexe 3 du Règlement de l'Ontario 169/03 (Normes de qualité de l'eau potable de l'Ontario).

3. Chaque rapport annuel préparé en application de l'article 11.

4. Chaque rapport préparé en application de l'annexe 22.

(3) Le propriétaire d'un réseau d'eau potable veille à ce que les documents et autres dossiers suivants soient conservés pendant au moins 15 ans :

1. Chaque dossier ou rapport se rapportant à une analyse exigée en application de l'une ou l'autre des dispositions suivantes :

- i. Les paragraphes 13-2 (3) et 13-4 (3) et les articles 13-8 et 13-9 de l'annexe 13.
 - ii. Les articles 15-2, 15-3, 15-5 et 15-6 de l'annexe 15.
 - iii. L'article 17-13 de l'annexe 17.
 - iv. Les articles 18-10 à 18-13 de l'annexe 18.
2. Chaque rapport préparé en application de l'annexe 21.
3. Chaque rapport visé à la disposition 7 du paragraphe 2 (2) ou à l'alinéa 2 (3) a) qui se rapporte à la source d'approvisionnement en eau brute du réseau.
4. Si le propriétaire a remis au directeur une déclaration écrite d'un ingénieur en application du paragraphe 21-2 (3) de l'annexe 21, une copie de l'approbation visée par la LREO mentionnée à ce paragraphe.
- (4) Le propriétaire d'un réseau d'eau potable veille à ce que les rapports préparés en application de l'annexe 21 soient conservés à un endroit facilement accessible à tout agent provincial chargé d'inspecter le matériel de traitement de l'eau du réseau.
- (5) Si le directeur ou un agent provincial demande un document ou autre dossier visé au paragraphe (1), (2) ou (3), le propriétaire du réseau d'eau potable veille à ce qu'il lui soit remis dans le délai que précise le directeur ou l'agent provincial.
- (6) Si un ingénieur ou un hydrogéologue prépare à l'égard d'un réseau d'eau potable un avis, un rapport ou une évaluation prévu par le présent règlement et demande un document ou autre dossier visé au paragraphe (1), (2) ou (3), le propriétaire du réseau veille à ce que le document ou le dossier lui soit remis dans le délai que précise l'ingénieur ou l'hydrogéologue.
- (7) Pour l'application du présent article :
- a) la mention, au paragraphe (1), (2) ou (3), d'analyses exigées en application d'une disposition du présent règlement vaut également mention, selon le cas :
 - (i) des analyses exigées pour mesurer le même paramètre en application de l'article 7 du Règlement de l'Ontario 459/00 (Drinking Water Protection — Larger Water Works), si ce règlement s'appliquait au réseau d'eau potable,
 - (ii) des analyses exigées pour mesurer le même paramètre en application de l'article 9 du Règlement de l'Ontario 505/01 (Drinking Water Protection — Smaller Water Works Serving Designated Facilities), si ce règlement s'appliquait au réseau d'eau potable;
 - b) la mention, à la disposition 3 du paragraphe (2), de rapports annuels préparés en application de l'article 11 vaut également mention, selon le cas :
 - (i) des rapports préparés en application de l'article 12 du Règlement de l'Ontario 459/00, si ce règlement s'appliquait au réseau d'eau potable,
 - (ii) des rapports préparés en application de l'article 15 du Règlement de l'Ontario 505/01, si ce règlement s'appliquait au réseau d'eau potable;
 - c) la mention, à la disposition 2 du paragraphe (3), de rapports préparés en application de l'article 21 vaut également mention des rapports préparés en application de l'article 5 du Règlement de l'Ontario 505/01, si ce règlement s'appliquait au réseau d'eau potable.

13. (1) L'article 1-3 de l'annexe 1 du Règlement est abrogé et remplacé par ce qui suit :

Désinfection primaire d'une source d'approvisionnement en eau brute constituée d'eaux souterraines

1-3. Le propriétaire du réseau d'eau potable alimenté par une source d'approvisionnement en eau brute constituée d'eaux souterraines veille à la fourniture de matériel de traitement de l'eau conçu pour assurer à tout moment la désinfection primaire conformément à la procédure de désinfection de l'eau potable en Ontario du ministère, y compris l'élimination ou l'inactivation d'au moins 99 pour cent des virus avant que :

- a) l'eau quitte les unités de traitement au point d'entrée, dans le cas d'un réseau d'eau potable auquel l'article 1-5 ne s'applique pas par l'effet de l'article 3-1.1 de l'annexe 3;
- b) l'eau entre dans le réseau de distribution, dans les autres cas.

(2) Le sous-alinéa 1-4 a) (ii) de l'annexe 1 du Règlement est abrogé et remplacé par ce qui suit :

- (ii) d'autre part, à tout moment la désinfection primaire conformément à la procédure de désinfection de l'eau potable en Ontario du ministère, y compris l'élimination ou l'inactivation d'au moins 99 pour cent des oocystes de *Cryptosporidium*, d'au moins 99,9 pour cent des kystes de *Giardia* et d'au moins 99,99 pour cent des virus avant que :
 - (A) l'eau quitte les unités de traitement au point d'entrée, dans le cas d'un réseau d'eau potable auquel l'article 1-5 ne s'applique pas par l'effet de l'article 3-1.1 de l'annexe 3,
 - (B) l'eau entre dans le réseau de distribution, dans les autres cas;

(3) L'article 1-6 de l'annexe 1 du Règlement est abrogé et remplacé par ce qui suit :

Matériel de désinfection primaire sans chloration ni chloramination

1-6. (1). Le propriétaire et l'organisme d'exploitation du réseau d'eau potable doté de matériel de désinfection primaire qui ne fait appel ni à la chloration ni à la chloramination veillent à ce que le matériel soit conçu et exploité conformément aux normes visées au paragraphe (2), ou à ce que :

- a) d'une part, le matériel soit doté d'un dispositif destiné à empêcher toute eau d'être dirigée vers les usagers de l'eau qu'il traite s'il fait défaut, tombe en panne ou n'est plus en mesure d'assurer un niveau adéquat de désinfection;
- b) d'autre part, si le matériel fait défaut, tombe en panne ou n'est plus en mesure d'assurer un niveau adéquat de désinfection, un exploitant agréé prend les mesures appropriées à l'endroit où est installé le matériel avant que l'eau ne soit de nouveau dirigée vers ses usagers.

(2) Les normes visées au paragraphe (1) sont les suivantes :

1. Le matériel de désinfection doit être doté d'un dispositif qui déclenche immédiatement une sonnerie d'alarme aux endroits suivants s'il fait défaut, tombe en panne ou n'est plus en mesure d'assurer un niveau adéquat de désinfection :
 - i. Le bâtiment ou l'autre construction où est installé le matériel.
 - ii. Un endroit où une personne est présente, si quelqu'un n'est pas toujours présent au bâtiment ou à l'autre construction où est installé le matériel.
2. Si une sonnerie d'alarme est déclenchée en application de la disposition 1, un exploitant agréé se trouvant sur les lieux du bâtiment ou de l'autre construction où est installé le matériel doit prendre les mesures appropriées ou, si aucun exploitant agréé ne s'y trouve, une telle personne doit y être envoyée promptement pour ce faire.
3. L'exploitant agréé qui est envoyé, en application de la disposition 2, sur les lieux du bâtiment ou de l'autre construction où est installé le matériel doit y arriver dès que possible.

(3) Le propriétaire et l'organisme d'exploitation du gros réseau résidentiel municipal doté de matériel de désinfection primaire qui ne fait appel ni à la chloration ni à la chloramination veillent à ce que le matériel soit doté d'un dispositif enregistreur qui enregistre continuellement son rendement.

14. (1) Le paragraphe 2-2 (3) de l'annexe 2 du Règlement est abrogé et remplacé par ce qui suit :

(3) Le paragraphe (2) ne s'applique pas à un gros réseau non résidentiel municipal, un petit réseau non résidentiel municipal, un gros réseau non résidentiel et non municipal et un petit réseau non résidentiel et non municipal les jours où celui-ci n'alimente pas un établissement désigné ou une installation publique qui est ouvert.

(4) Le paragraphe (2) ne s'applique pas pendant 60 jours consécutifs ou plus à un réseau résidentiel saisonnier non municipal lorsque celui-ci n'alimente pas ce qui suit :

- a) un établissement désigné ou une installation publique qui est ouvert;
- b) un grand aménagement résidentiel;
- c) un parc à roulettes ou un terrain de camping doté de plus de cinq branchements d'eau.

(2) L'alinéa 2-3 a) de l'annexe 2 du Règlement est modifié par substitution de «l'article 3-1.1 ou 3-2 de l'annexe 3» à «l'article 3-2 de l'annexe 3» à la fin de l'alinéa.

(3) L'article 2-3 de l'annexe 2 du Règlement est modifié par adjonction des paragraphes suivants :

(2) Le paragraphe (1) s'applique également à l'égard des réseaux résidentiels toutes saisons non municipaux qui sont réputés, aux termes de la disposition 4 ou 5 du paragraphe 2 (2), être alimentés par une source d'approvisionnement en eau brute constituée d'eaux souterraines qui sont sous l'influence directe des eaux de surface si les conditions suivantes sont réunies :

- a) le réseau ne dessert aucun établissement désigné;
- b) le propriétaire du réseau remet ce qui suit au directeur :
 - (i) un avis écrit qui est conforme à l'article 2-12,
 - (ii) un avis écrit indiquant que le propriétaire et l'organisme d'exploitation du réseau se sont conformés à l'article 11-3 de l'annexe 11 et aux articles 18-5 et 18-6 de l'annexe 18 pendant 12 mois consécutifs et qu'au cours de cette période :
 - (A) aucun résultat d'analyse d'un échantillon d'eau brute du réseau prévu au paragraphe 11-3 (1) de l'annexe 11 n'a indiqué la présence d'*Escherichia coli* (E. coli) ou de coliformes totaux,
 - (B) aucun résultat d'analyse d'un échantillon d'eau prélevé en application de l'article 18-5 ou 18-6 de l'annexe 18 n'a indiqué la présence d'*Escherichia coli* (E. coli) ou de coliformes totaux.

(3) Jusqu'à la fin du mois suivant le premier anniversaire du jour où débute l'exploitation du réseau, le paragraphe (1) s'applique également à l'égard des réseaux résidentiels toutes saisons non municipaux qui sont réputés, aux termes de la disposition 4 ou 5 du paragraphe 2 (2), être alimentés par une source d'approvisionnement en eau brute constituée d'eaux souterraines qui sont sous l'influence directe des eaux de surface si les conditions suivantes sont réunies :

- a) l'exploitation du réseau débute après l'entrée en vigueur du présent article;
- b) le réseau ne dessert aucun établissement désigné;
- c) avant que ne débute l'exploitation du réseau, son propriétaire remet au directeur un avis écrit qui est conforme à l'article 2-12.

(4) Les paragraphes (2) et (3) cessent de s'appliquer aux réseaux résidentiels toutes saisons non municipaux 90 jours après que, selon le cas :

- a) un résultat d'analyse obtenu en application de la disposition 2 de l'article 18-5 de l'annexe 18 indique la présence d'*Escherichia coli* (E. coli) dans un échantillon d'eau;
- b) un résultat d'analyse obtenu en application de la disposition 1 de l'article 18-6 de l'annexe 18 indique la présence de coliformes totaux dans un échantillon d'eau, si le jour où il a été prélevé est le deuxième jour dans une période de 12 mois consécutifs où un échantillon d'eau prélevé en application de cette disposition a donné lieu à un résultat d'analyse indiquant la présence de coliformes totaux.

(5) Aucun avis ne peut être remis au directeur en application de l'alinéa (2) b) si le paragraphe (2) ou (3) a précédemment cessé de s'appliquer au réseau en application du paragraphe (4).

(4) Le sous-sous-alinéa 2-4 a) (ii) (A) de l'annexe 2 du Règlement est modifié par substitution de «l'article 3-1.1 ou 3-2 de l'annexe 3» à «l'article 3-2 de l'annexe 3» à la fin du sous-sous-alinéa.

(5) L'article 2-4 de l'annexe 2 du Règlement est modifié par adjonction du paragraphe suivant :

(2) Le paragraphe (1) ne s'applique pas à l'égard des réseaux résidentiels toutes saisons non municipaux à l'égard desquels s'applique le paragraphe 2-3 (1).

(6) L'article 2-6 de l'annexe 2 du Règlement est abrogé et remplacé par ce qui suit :

Matériel de désinfection primaire sans chloration ni chloramination

2-6. (1) Le propriétaire et l'organisme d'exploitation du réseau d'eau potable doté de matériel de désinfection primaire qui ne fait appel ni à la chloration ni à la chloramination veillent à ce que le matériel soit conçu et exploité conformément aux normes visées au paragraphe (2), ou à ce que :

- a) d'une part, le matériel soit doté d'un dispositif destiné à empêcher toute eau d'être dirigée vers les usagers de l'eau qu'il traite s'il fait défaut, tombe en panne ou n'est plus en mesure d'assurer un niveau adéquat de désinfection;
- b) d'autre part, si le matériel fait défaut, tombe en panne ou n'est plus en mesure d'assurer un niveau adéquat de désinfection, une personne visée à la disposition 9 du paragraphe 2-2 (2) prend les mesures appropriées à l'endroit où est installé le matériel avant que l'eau ne soit de nouveau dirigée vers ses usagers.

(2) Les normes visées au paragraphe (1) sont les suivantes :

1. Le matériel de désinfection doit être doté d'un dispositif qui déclenche immédiatement une sonnerie d'alarme aux endroits suivants s'il fait défaut, tombe en panne ou n'est plus en mesure d'assurer un niveau adéquat de désinfection :
 - i. Le bâtiment ou l'autre construction où est installé le matériel.
 - ii. Un endroit où une personne est présente, si quelqu'un n'est pas toujours présent au bâtiment ou à l'autre construction où est installé le matériel.
2. Si une sonnerie d'alarme est déclenchée en application de la disposition 1, une personne visée à la disposition 9 du paragraphe 2-2 (2) se trouvant sur les lieux du bâtiment ou de l'autre construction où est installé le matériel doit prendre les mesures appropriées ou, si aucune ne s'y trouve, une autre telle personne doit y être envoyée promptement pour ce faire.
3. La personne qui est envoyée, en application de la disposition 2, sur les lieux du bâtiment ou de l'autre construction où est installé le matériel doit y arriver dès que possible.

(3) Le propriétaire et l'organisme d'exploitation du réseau d'eau potable doté de matériel de désinfection primaire aux ultraviolets qui ne fait appel ni à la chloration ni à la chloramination veillent à ce que les capteurs dont est muni le système de surveillance du matériel soient vérifiés et étalonnés conformément aux instructions du fabricant.

(7) L'article 2-10 de l'annexe 2 du Règlement est abrogé.

(8) L'annexe 2 du Règlement est modifiée par adjonction des articles suivants :

Exceptions

2-11. (1) La présente annexe, sauf la disposition 1 du paragraphe 2-2 (1), ne s'applique pas aux réseaux résidentiels toutes saisons non municipaux si les conditions suivantes sont réunies :

- a) le réseau ne dessert aucun établissement désigné;
- b) le réseau est alimenté par une source d'approvisionnement en eau brute constituée d'eaux souterraines;
- c) le propriétaire du réseau remet ce qui suit au directeur :
 - (i) un avis écrit qui est conforme à l'article 2-12,
 - (ii) un avis écrit indiquant que le propriétaire et l'organisme d'exploitation du réseau se sont conformés à l'article 11-3 de l'annexe 11 et aux articles 18-5 et 18-6 de l'annexe 18 pendant 12 mois consécutifs et qu'au cours de cette période :
 - (A) aucun résultat d'analyse d'un échantillon d'eau brute du réseau prévu au paragraphe 11-3 (1) de l'annexe 11 n'a indiqué la présence d'*Escherichia coli* (E. coli) ou de coliformes totaux,
 - (B) aucun résultat d'analyse d'un échantillon d'eau prélevé en application de l'article 18-5 ou 18-6 de l'annexe 18 n'a indiqué la présence d'*Escherichia coli* (E. coli) ou de coliformes totaux.

(2) La présente annexe, sauf la disposition 1 du paragraphe 2-2 (1), ne s'applique aux réseaux résidentiels toutes saisons non municipaux qu'à la fin du mois suivant le premier anniversaire du jour où débute l'exploitation du réseau si les conditions suivantes sont réunies :

- a) l'exploitation du réseau débute après l'entrée en vigueur du présent article;
- b) le réseau ne dessert aucun établissement désigné;
- c) le réseau est alimenté par une source d'approvisionnement en eau brute constituée d'eaux souterraines;
- d) avant que ne débute l'exploitation du réseau, son propriétaire remet au directeur un avis écrit qui est conforme à l'article 2-12.

(3) Les paragraphes (1) et (2) cessent de s'appliquer aux réseaux résidentiels toutes saisons non municipaux 90 jours après que, selon le cas :

- a) un résultat d'analyse obtenu en application de la disposition 2 de l'article 18-5 de l'annexe 18 indique la présence d'*Escherichia coli* (E. coli) dans un échantillon d'eau;
- b) un résultat d'analyse obtenu en application de la disposition 1 de l'article 18-6 de l'annexe 18 indique la présence de coliformes totaux dans un échantillon d'eau, si le jour où il a été prélevé est le deuxième jour dans une période de 12 mois consécutifs où un échantillon d'eau prélevé en application de cette disposition a donné lieu à un résultat d'analyse indiquant la présence de coliformes totaux.

(4) Aucun avis ne peut être remis au directeur en application de l'alinéa (1) c) si le paragraphe (1) ou (2) a précédemment cessé de s'appliquer au réseau en application du paragraphe (3).

Avis d'un technicien en construction de puits

2-12. (1) Pour l'application de la présente annexe, un avis est conforme au présent article à l'égard d'un réseau résidentiel toutes saisons non municipal s'il est signé par une personne visée au paragraphe (2) et s'il indique que la personne a, après le jour d'entrée en vigueur du présent article, inspecté chaque puits qui est utilisé comme source d'approvisionnement en eau brute pour le réseau et que, en ce qui concerne chacun d'eux, elle est d'avis de ce qui suit :

- a) il n'est pas doté d'une fosse de puits;
- b) il ne pénètre pas le fonds d'un puits sondé ou creusé;
- c) il est accessible en tout temps aux fins de nettoyage, de traitement, de réparation, d'analyse, d'inspection et d'examen visuel;
- d) il est situé à un endroit dont l'élévation est supérieure au relief environnant;
- e) l'endroit où il est situé est séparé d'un système de lit filtrant ou autre système d'égouts au sens du Règlement de l'Ontario 403/97 (Code du bâtiment) pris en application de la *Loi de 1992 sur le code du bâtiment*, y compris un système d'égouts qui n'a pas été construit mais à l'égard duquel un permis de construire a été délivré, par au moins la distance de déblaiement qu'exige ce règlement;
- f) l'endroit où il est situé se trouve à au moins 15 mètres d'une source pollution autre que celle visée à l'alinéa e);
- g) il est tubé :
 - (i) jusqu'à 15 centimètres au moins au-dessus du plancher, si une pompe a été installée directement au-dessus du puits et qu'un plancher a été construit autour du tubage ou en contiguïté avec celui-ci,

- (ii) jusqu'à 30 centimètres au moins au-dessus de la surface du sol, dans les autres cas;
- h) le drainage de surface est tel que l'eau ne sera ni captée ni accumulée à sa proximité, y compris la partie au-dessus de l'espace annulaire;
- i) le dessus de son tubage est scellé avec un bouchon à l'épreuve de la vermine de fabrication commerciale, si une pompe n'est pas située directement au-dessus du puits;
- j) le dessus de son tubage est protégé de manière à empêcher toute matière susceptible de nuire à la qualité de l'eau de pénétrer dans le puits, si une pompe est installée directement au-dessus de celui-ci;
- k) son évent se prolonge au-delà de la surface du sol à une hauteur suffisante pour éviter que les eaux de crue, provenant d'inondations prévues dans la région, ne pénètrent dans le puits;
- l) le bout ouvert de son évent est protégé et grillagé de manière à empêcher les matières de pénétrer dans le puits;
- m) son tubage ne nuit pas à la qualité de l'eau avec laquelle il entre en contact;
- n) la partie du son tubage qui est visible sans caméra descendante est :
 - (i) d'une part, propre et sans contamination,
 - (ii) d'autre part, étanche à l'eau;
- o) la partie de son tubage qui est visible sans caméra descendante n'a pas de joints, sauf pour ceux qui :
 - (i) d'une part, assurent une liaison permanente étanche à l'eau, comme les joints en acier soudé,
 - (ii) d'autre part, sont faits de sorte que le tubage à joints ne nuise pas à la qualité de l'eau avec laquelle il entre en contact;
- p) les soudures dans la partie de son tubage qui est visible sans caméra descendante assurent une liaison permanente étanche à l'eau;
- q) un adaptateur de branchement à coulisseau est utilisé et le raccord est étanche à l'eau, si le raccord au tubage du puits se fait sous la surface du sol.

(2) La personne visée au paragraphe (1) est, selon le cas :

- a) une personne qui est titulaire d'un permis de technicien en construction de puits de la catégorie forage de puits visée à la disposition 1 du paragraphe 5 (1) du Règlement 903 des Règlements refondus de l'Ontario de 1990 (Wells) pris en application de la *Loi sur les ressources en eau de l'Ontario*;
- b) un ingénieur qui possède de l'expérience dans les sources d'approvisionnement constituées d'eaux souterraines;
- c) un hydrogéologue qui possède de l'expérience dans les sources d'approvisionnement constituées d'eaux souterraines;
- d) une personne, inscrite comme technicien-spécialiste agréé en ingénierie (certified engineering technologist) en application de la loi intitulée *Ontario Association of Certified Engineering Technicians and Technologists Act, 1998*, qui possède de l'expérience dans les sources d'approvisionnement constituées d'eaux souterraines.

(3) Les termes et expressions utilisés au présent article s'entendent au sens de l'article 35 de la *Loi sur les ressources en eau de l'Ontario* et de l'article 1 du Règlement 903 des Règlements refondus de l'Ontario de 1990 (Wells) pris en application de cette loi.

15. (1) L'article 3-1 de l'annexe 3 du Règlement est modifié par adjonction des dispositions suivantes :

0.1 Les petits réseaux résidentiels municipaux.

2.1 Les réseaux résidentiels toutes saisons non municipaux.

2.2 Les réseaux résidentiels saisonniers non municipaux.

(2) L'annexe 3 du Règlement est modifiée par adjonction de l'article suivant :

Unités de traitement au point d'entrée dans les réseaux résidentiels

3-1.1 (1) L'article 1-5 de l'annexe 1 ne s'applique pas à un petit réseau résidentiel municipal, l'article 2-5 de l'annexe 2 ne s'applique pas à un réseau résidentiel toutes saisons non municipal qui dessert moins de 101 résidences privées, et l'article 2-5 de l'annexe 2 ne s'applique pas à un réseau résidentiel saisonnier non-municipal qui est doté de moins de 101 branchements d'eau, si les conditions suivantes sont réunies :

- 1. Une unité de traitement au point d'entrée qui appartient au propriétaire du réseau d'eau potable ou qu'il prend à bail est raccordée à l'installation de plomberie de chaque bâtiment et autre construction qui fait partie d'une résidence privée, d'un établissement désigné ou d'une installation publique que dessert le réseau.

2. Chaque unité de traitement au point d'entrée est dotée d'un dispositif destiné à empêcher toute eau d'être dirigée vers les usagers de l'eau que traite le matériel si celui-ci fait défaut, tombe en panne ou n'est plus en mesure d'assurer un niveau adéquat de désinfection.
 3. Aucune des unités de traitement au point d'entrée ne fait appel à la chloration ou à la chloramination.
 4. Le propriétaire ou l'organisme d'exploitation du réseau d'eau potable a un dossier où sont consignés les renseignements suivants :
 - i. l'endroit où est installé chaque unité de traitement au point d'entrée et la date de son installation,
 - ii. dans le cas d'un petit réseau résidentiel municipal qui exige une approbation aux termes de la Loi, confirmation de la part du propriétaire du réseau que chaque unité de traitement au point d'entrée a été installée conformément à l'approbation.
 5. Le propriétaire du réseau a remis au directeur un avis écrit attestant ce qui suit :
 - i. il a remis une déclaration écrite contenant les renseignements énoncés au paragraphe (5) aux occupants de chaque résidence privée et aux exploitants de chaque établissement désigné et installation publique que dessert le réseau au moment où l'avis est remis au directeur,
 - ii. il a discuté des renseignements énoncés au paragraphe (5), en personne ou par téléphone, avec un occupant qui paraît majeur de chaque résidence privée et avec l'exploitant de chaque établissement désigné et installation publique que dessert le réseau au moment où l'avis est remis au directeur,
 - iii. il a fait des efforts raisonnables pour remettre une déclaration écrite contenant les renseignements énoncés au paragraphe (5) au propriétaire de chaque résidence privée, établissement désigné et installation publique que dessert le réseau au moment où l'avis est remis au directeur, si le propriétaire n'est pas un occupant de la résidence ou l'exploitant de l'établissement ou de l'installation.
 6. Le propriétaire ou l'organisme d'exploitation du réseau avise les occupants de la propriété où est située une unité de traitement au point d'entrée lorsqu'il requiert la permission de pénétrer dans la propriété.
- (2) Si le paragraphe (1) s'applique à un réseau d'eau potable et que ce réseau commence à desservir une autre résidence privée ou installation publique ou un autre établissement désigné, le propriétaire du réseau fait promptement ce qui suit :
- a) il remet une déclaration écrite contenant les renseignements énoncés au paragraphe (5) aux occupants de la résidence ou à l'exploitant de l'établissement ou de l'installation;
 - b) il discute des renseignements énoncés au paragraphe (5), en personne ou par téléphone, avec un occupant qui paraît majeur de la résidence ou avec l'exploitant de l'établissement ou de l'installation;
 - c) il fait des efforts raisonnables pour remettre une déclaration écrite contenant les renseignements énoncés au paragraphe (5) au propriétaire de la résidence, de l'établissement ou de l'installation, si le propriétaire n'est pas un occupant de la résidence ou l'exploitant de l'établissement ou de l'installation.
- (3) Si le paragraphe (1) s'applique à un réseau d'eau potable et que le propriétaire du réseau apprend que les occupants d'une résidence privée que dessert le réseau ont changé ou que l'exploitant d'un établissement désigné ou d'une installation publique que dessert le réseau a changé, le propriétaire fait promptement ce qui suit :
- a) il remet une déclaration écrite contenant les renseignements énoncés au paragraphe (5) aux occupants de la résidence ou à l'exploitant de l'établissement ou de l'installation;
 - b) il discute des renseignements énoncés au paragraphe (5), en personne ou par téléphone, avec un occupant qui paraît majeur de la résidence ou avec l'exploitant de l'établissement ou de l'installation.
- (4) Si le paragraphe (1) s'applique à un réseau d'eau potable et que le propriétaire du réseau apprend que les occupants d'une résidence privée que dessert le réseau ont changé ou que l'exploitant d'un établissement désigné ou d'une installation publique que dessert le réseau a changé, et que le propriétaire de la résidence, de l'établissement ou de l'installation n'est pas un occupant de la résidence ou l'exploitant de l'établissement ou de l'installation, le propriétaire du réseau fait promptement des efforts raisonnables pour remettre une déclaration écrite contenant les renseignements énoncés au paragraphe (5) au propriétaire de la résidence, de l'établissement ou de l'installation.
- (5) Les renseignements visés à la disposition 5 du paragraphe (1) et aux paragraphes (2), (3) et (4) sont les suivants :
1. L'eau qui alimente la résidence privée, l'établissement désigné ou l'installation publique, selon le cas, est traitée par une pièce de matériel appelée unité de traitement au point d'entrée qui vise à assurer la salubrité de l'eau.
 2. Une description de l'emplacement et de l'apparence de l'unité de traitement au point d'entrée propre à permettre à une personne de l'identifier.
 3. L'unité de traitement au point d'entrée appartient au propriétaire du réseau d'eau potable ou est prise à bail par celui-ci et n'appartient pas au propriétaire ou aux occupants de la propriété où elle est installée.

4. L'unité de traitement au point d'entrée est dotée d'un dispositif destiné à empêcher toute eau d'être dirigée vers les usagers de l'eau que traite le matériel si celui-ci fait défaut, tombe en panne ou n'est plus en mesure d'assurer un niveau adéquat de désinfection.
 5. Nul ne doit endommager l'unité de traitement au point d'entrée ni la manipuler de façon abusive.
 6. Le propriétaire ou l'organisme d'exploitation du réseau d'eau potable exigera un accès périodique à la propriété où l'unité de traitement au point d'entrée est installée afin de prélever des échantillons d'eau et d'entretenir l'unité.
 7. Le propriétaire du réseau d'eau potable ou, si un organisme d'exploitation est responsable de l'exploitation du réseau, cet organisme, devrait être contacté si l'alimentation en eau est interrompue ou s'il y a des raisons de croire que l'unité de traitement au point d'entrée doit être réparée.
 8. Le propriétaire du réseau d'eau potable ou, si un organisme d'exploitation est responsable de l'exploitation du réseau, cet organisme, peut être contacté pour toute question concernant l'unité de traitement au point d'entrée.
 9. Les coordonnées du propriétaire du réseau d'eau potable ou, si un organisme d'exploitation est responsable de l'exploitation du réseau, de cet organisme.
- (6) Si le paragraphe (1) s'applique à un petit réseau résidentiel municipal, le propriétaire et l'organisme d'exploitation du réseau veillent à ce que :
- a) d'une part, soit vérifiée au moins une fois par 12 mois chaque unité de traitement au point d'entrée afin d'en confirmer le bon fonctionnement;
 - b) d'autre part, soient consignés la date et l'heure de chaque vérification faite en application de l'alinéa a), le nom de la personne qui l'a faite et le résultat.
- (7) Si le paragraphe (1) s'applique à un réseau d'eau potable, le propriétaire et l'organisme d'exploitation du réseau veillent à ce qu'une consignation soit faite chaque fois que l'un ou l'autre ne réussit pas à accéder à une propriété où est installée une unité de traitement au point d'entrée afin de se conformer, selon le cas :
- a) à l'alinéa (6) a);
 - b) à l'article 8-2 de l'annexe 8 ou à l'article 9-2 de l'annexe 9;
 - c) à l'article 11-2 de l'annexe 11 ou à l'article 12-2 de l'annexe 12.

(3) L'article 3-2 de l'annexe 3 du Règlement est modifié par substitution de ce qui suit au passage qui précède la disposition 1 :

Unités de traitement au point d'entrée dans les réseaux non résidentiels

3-2. L'article 2-5 de l'annexe 2 ne s'applique pas à un gros réseau non résidentiel municipal, un petit réseau non résidentiel municipal, un gros réseau non résidentiel et non municipal ou un petit réseau non résidentiel et non municipal si les conditions suivantes sont réunies :

(4) Les dispositions 1 et 2 de l'article 3-2 de l'annexe 3 du Règlement sont abrogées et remplacées par ce qui suit :

1. Une unité de traitement au point d'entrée qui appartient au propriétaire du réseau d'eau potable ou qu'il prend à bail est raccordée à l'installation de plomberie de chaque bâtiment et autre construction qui fait partie d'un établissement désigné ou d'une installation publique que dessert le réseau.
2. Le propriétaire ou l'organisme d'exploitation du réseau avise les occupants de la propriété où est située une unité de traitement au point d'entrée lorsqu'il requiert la permission de pénétrer dans la propriété.

16. La sous-disposition 3 ii du paragraphe 5-4 (1) de l'annexe 5 du Règlement est modifiée par substitution de «au moins une analyse des *Escherichia coli* (E. coli) et» à «au moins une analyse des *Escherichia coli* (E. coli) ou des coliformes fécaux et».

17. (1) L'annexe 6 du Règlement est modifiée par adjonction de l'article suivant :

Fréquence d'échantillonnage et de vérification de matériel

6-1.1 (1) Si le présent règlement ou une approbation, une ordonnance ou un arrêté, y compris une approbation visée par la LREO ou un texte visé par la LREO, exige qu'au moins un échantillon d'eau soit prélevé chaque semaine et analysé en vue d'en mesurer un paramètre, le propriétaire et l'organisme d'exploitation du réseau d'eau potable veillent à ce qu'au moins un échantillon qui est prélevé au cours d'une semaine pour l'analyse de ce paramètre soit prélevé de cinq à 10 jours après le prélèvement d'un échantillon à cette fin au cours de la semaine précédente.

(2) Si le présent règlement ou une approbation, une ordonnance ou un arrêté, y compris une approbation visée par la LREO ou un texte visé par la LREO, exige qu'au moins un échantillon d'eau soit prélevé toutes les deux semaines et analysé en vue d'en mesurer un paramètre, le propriétaire et l'organisme d'exploitation du réseau d'eau potable veillent à ce qu'au

moins un échantillon qui est prélevé au cours d'une période de deux semaines pour l'analyse de ce paramètre soit prélevé de 10 à 20 jours après le prélèvement d'un échantillon à cette fin au cours de la période de deux semaines précédentes.

(3) Si le présent règlement ou une approbation, une ordonnance ou un arrêté, y compris une approbation visée par la LREO ou un texte visé par la LREO, exige qu'au moins un échantillon d'eau soit prélevé chaque mois et analysé en vue d'en mesurer un paramètre, le propriétaire et l'organisme d'exploitation du réseau d'eau potable veillent à ce qu'au moins un échantillon qui est prélevé au cours d'un mois pour l'analyse de ce paramètre soit prélevé de 20 à 40 jours après le prélèvement d'un échantillon à cette fin au cours du mois précédent.

(4) Si le présent règlement ou une approbation, une ordonnance ou un arrêté, y compris une approbation visée par la LREO ou un texte visé par la LREO, exige qu'au moins un échantillon d'eau soit prélevé tous les trois mois et analysé en vue d'en mesurer un paramètre, le propriétaire et l'organisme d'exploitation du réseau d'eau potable veillent à ce qu'au moins un échantillon qui est prélevé au cours d'une période de trois mois pour l'analyse de ce paramètre soit prélevé de 60 à 120 jours après le prélèvement d'un échantillon à cette fin au cours de la période de trois mois précédente.

(5) Si le présent règlement ou une approbation, une ordonnance ou un arrêté, y compris une approbation visée par la LREO ou un texte visé par la LREO, exige qu'au moins un échantillon d'eau soit prélevé tous les 12 mois et analysé en vue d'en mesurer un paramètre, le propriétaire et l'organisme d'exploitation du réseau d'eau potable veillent à ce qu'au moins un échantillon qui est prélevé au cours d'une période de 12 mois pour l'analyse de ce paramètre soit prélevé 30 jours au plus avant ou après le premier anniversaire du jour du prélèvement d'un échantillon à cette fin au cours de la période de 12 mois précédente.

(6) Si le présent règlement ou une approbation, une ordonnance ou un arrêté, y compris une approbation visée par la LREO ou un texte visé par la LREO, exige qu'au moins un échantillon d'eau soit prélevé tous les 36 mois et analysé en vue d'en mesurer un paramètre, le propriétaire et l'organisme d'exploitation du réseau d'eau potable veillent à ce qu'au moins un échantillon qui est prélevé au cours d'une période de 36 mois pour l'analyse de ce paramètre soit prélevé 60 jours au plus avant ou après le troisième anniversaire du jour du prélèvement d'un échantillon à cette fin au cours de la période de 36 mois précédente.

(7) Si le présent règlement ou une approbation, une ordonnance ou un arrêté, y compris une approbation visée par la LREO ou un texte visé par la LREO, exige qu'au moins un échantillon d'eau soit prélevé tous les 60 mois et analysé en vue d'en mesurer un paramètre, le propriétaire et l'organisme d'exploitation du réseau d'eau potable veillent à ce qu'au moins un échantillon qui est prélevé au cours d'une période de 60 mois pour l'analyse de ce paramètre soit prélevé 90 jours au plus avant ou après le cinquième anniversaire du jour du prélèvement d'un échantillon à cette fin au cours de la période de 60 mois précédente.

(8) Le présent article s'applique, avec les adaptations nécessaires, si le présent règlement ou une approbation, une ordonnance ou un arrêté, y compris une approbation visée par la LREO ou un texte visé par la LREO, exige la vérification de matériel à des intervalles auxquelles s'applique l'un ou l'autre des paragraphes (1) à (7).

(2) Le paragraphe 6-4 (3) de l'annexe 6 du Règlement est modifié par substitution de «agrée par un organisme d'agrément aux fins des analyses de l'eau potable qui est désigné ou créé aux termes de la Loi» à «agrée par le Conseil canadien des normes» à la fin du paragraphe.

(3) La disposition 1 du paragraphe 6-5 (1) de l'annexe 6 du Règlement est modifiée par substitution de ce qui suit au passage qui précède la sous-disposition i :

1. Le matériel de surveillance continue doit, sauf lorsqu'aucune eau n'est dirigée vers les usagers de l'eau qu'il échantillonne :

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(4) La sous-disposition 2 ii du paragraphe 6-5 (1) de l'annexe 6 du Règlement est modifiée par substitution de «déclenche une sonnerie d'alarme en application de la disposition 1 du paragraphe (1.1)» à «déclenche une sonnerie d'alarme en application de la disposition 5».

(5) Les dispositions 5, 6, et 7 du paragraphe 6-5 (1) de l'annexe 6 du Règlement sont abrogées et remplacées par ce qui suit :

5. Le matériel de surveillance continue est conçu et exploité conformément aux normes visées au paragraphe (1.1) ou :
 - i. d'une part, il doit être doté d'un dispositif destiné à empêcher toute eau d'être dirigée vers les usagers de l'eau qu'il échantillonne s'il fait défaut ou tombe en panne ou que le résultat d'une analyse d'un paramètre est supérieur à la norme maximale ou inférieur à la norme minimale fixées pour le déclenchement d'une sonnerie d'alarme dans le tableau du présent article,
 - ii. d'autre part, s'il fait défaut ou tombe en panne ou que le résultat d'une analyse d'un paramètre est supérieur à la norme maximale ou inférieur à la norme minimale fixées pour le déclenchement d'une sonnerie d'alarme dans le tableau du présent article, une personne ayant les compétences pour examiner les résultats des analyses en application de la disposition 3 prend les mesures appropriées à l'endroit où les analyses sont effectuées avant que l'eau ne soit de nouveau dirigée vers ses usagers.

(6) L'article 6-5 de l'annexe 6 du Règlement est modifié par adjonction du paragraphe suivant :

(1.1) Les normes visées à la disposition 5 du paragraphe (1) sont les suivantes :

1. Si le matériel de surveillance continue fait défaut ou tombe en panne ou que le résultat d'une analyse d'un paramètre est supérieur à la norme maximale ou inférieur à la norme minimale fixées pour le déclenchement d'une sonnerie d'alarme dans le tableau du présent article, le matériel doit déclencher immédiatement une sonnerie d'alarme aux endroits suivants :
 - i. Le lieu où le matériel effectue les analyses.
 - ii. Un endroit où une personne est présente, si quelqu'un n'est pas toujours présent à l'endroit où le matériel effectue les analyses.
 - iii. Chaque installation désignée que dessert le réseau d'eau potable, sauf s'il s'agit d'un gros ou d'un petit réseau résidentiel municipal.
2. Une personne ayant les compétences pour examiner les résultats des analyses en application de la disposition 3 du paragraphe (1) doit prendre les mesures appropriées si elle se trouve à l'endroit où les analyses sont effectuées et que l'une des situations suivantes se présente :
 - i. une sonnerie d'alarme est déclenchée en application de la disposition 1,
 - ii. un résultat d'analyse indique qu'une sonnerie d'alarme aurait dû être déclenchée en application de la disposition 1,
 - iii. il y a de bonnes raisons de croire que le matériel de surveillance continue a fait défaut ou est tombé en panne.
3. Une personne ayant les compétences pour examiner les résultats des analyses en application de la disposition 3 du paragraphe (1) doit être envoyée promptement à l'endroit où les analyses sont effectuées en vue de prendre les mesures appropriées s'il ne s'y trouve aucune personne ayant les compétences pour examiner les résultats des analyses en application de cette disposition et que l'une des situations suivantes se présente :
 - i. une sonnerie d'alarme est déclenchée en application de la disposition 1, sauf si une personne ayant les compétences pour examiner les résultats des analyses en application de la disposition 3 du paragraphe (1) conclut que :
 - A. d'une part, la sonnerie d'alarme a été déclenchée parce qu'un résultat d'une analyse d'un paramètre était supérieur à la norme maximale ou inférieur à la norme minimale fixées pour le déclenchement d'une sonnerie d'alarme dans le tableau du présent article,
 - B. d'autre part, un résultat d'analyse obtenu dans les deux minutes qui suivaient le premier a indiqué que le paramètre n'était plus supérieur à la norme maximale ou inférieur à la norme minimale, selon le cas,
 - ii. un résultat d'analyse indique qu'une sonnerie d'alarme aurait dû être déclenchée en application de la disposition 1,
 - iii. il y a de bonnes raisons de croire que le matériel de surveillance continue a fait défaut ou est tombé en panne.
4. La personne qui est envoyée en application de la disposition 3 doit arriver à l'endroit où les analyses sont effectuées dès que possible.

(7) L'alinéa 6-7 (1) b) de l'annexe 6 du Règlement est modifié par substitution de «un ingénieur déclare» à «un ingénieur atteste».

18. (1) Le paragraphe 7-2 (3) de l'annexe 7 du Règlement est abrogé et remplacé par ce qui suit :

(3) Le propriétaire et l'organisme d'exploitation d'un gros réseau résidentiel municipal qui assure la désinfection secondaire veillent à ce qu'au moins sept échantillons de distribution soient prélevés chaque semaine conformément au paragraphe (4) et analysés immédiatement en vue d'en mesurer :

- a) la concentration de chlore résiduel libre, si le réseau assure la chloration, mais non la chloramination;
- b) la concentration de chlore résiduel combiné, si le réseau assure la chloramination.

(4) Les règles suivantes s'appliquent aux échantillons de distribution visés au paragraphe (3), sauf si au moins un échantillon est prélevé chaque jour de la semaine :

1. Au moins quatre des échantillons doivent être prélevés un premier jour de la semaine, au moins 48 heures après le prélèvement, au cours de la semaine précédente, du dernier échantillon.
2. Au moins trois des échantillons doivent être prélevés un deuxième jour de la semaine, au moins 48 heures après le prélèvement du dernier échantillon au jour visé à la disposition 1.

3. Si plus d'un échantillon est prélevé le même jour de la semaine en application de la disposition 1 ou 2, chacun doit être prélevé à un endroit différent.

(5) Le propriétaire et l'organisme d'exploitation d'un petit réseau résidentiel municipal qui assure la désinfection secondaire veillent à ce qu'au moins deux échantillons de distribution soient prélevés chaque semaine conformément au paragraphe (6) et analysés immédiatement en vue d'en mesurer :

- a) la concentration de chlore résiduel libre, si le réseau assure la chloration, mais non la chloramination;
- b) la concentration de chlore résiduel combiné, si le réseau assure la chloramination.

(6) Au moins un des échantillons de distribution visés au paragraphe (5) doit être prélevé au moins 48 heures après le prélèvement d'un des autres échantillons de distribution visés à ce paragraphe et au cours de la même semaine que ce prélèvement.

(2) L'article 7-3 de l'annexe 7 du Règlement est modifié par adjonction du paragraphe suivant :

(1.1) Si le réseau d'eau potable est alimenté par une source d'approvisionnement en eau brute constituée d'eaux souterraines, le propriétaire et l'organisme d'exploitation du réseau veillent à ce qu'un échantillon soit prélevé en application du paragraphe (1) dans chaque puits qui alimente le réseau.

(3) L'article 7-4 de l'annexe 7 du Règlement est abrogé et remplacé par ce qui suit :

Fluorure

7-4. Lorsqu'un réseau d'eau potable assure la fluoruration, le propriétaire et l'organisme d'exploitation du réseau veillent à ce qu'un échantillon d'eau soit prélevé au moins une fois par jour à la fin de la fluoruration et est analysé en vue d'en mesurer la concentration de fluorure.

(4) L'article 7-5 de l'annexe 7 du Règlement est modifié par adjonction du paragraphe suivant :

(1.1) Malgré le paragraphe (1), les analyses exigées par l'article 7-2 ou 7-3 dans un petit réseau résidentiel municipal peuvent être effectuées par une personne qui n'est pas un exploitant agréé ou un analyste de la qualité de l'eau si cette personne réunit les conditions suivantes :

- a) elle a été formée par un exploitant agréé en vue d'effectuer les analyses;
- b) elle travaille sous la supervision d'un exploitant agréé;
- c) elle communique immédiatement tous les résultats d'analyse à un exploitant agréé.

19. (1) Le paragraphe 8-3 (3) de l'annexe 8 du Règlement est abrogé et remplacé par ce qui suit :

(3) Le propriétaire et l'organisme d'exploitation d'un réseau d'eau potable qui assure la désinfection secondaire veillent à ce qu'au moins deux échantillons de distribution soient prélevés chaque semaine conformément au paragraphe (3.1) et analysés immédiatement en vue d'en mesurer :

- a) la concentration de chlore résiduel libre, si le réseau assure la chloration, mais non la chloramination;
- b) la concentration de chlore résiduel combiné, si le réseau assure la chloramination.

(3.1) Au moins un des échantillons de distribution visés au paragraphe (3) doit être prélevé au moins 48 heures après le prélèvement d'un des autres échantillons de distribution visés à ce paragraphe et au cours de la même semaine que ce prélèvement.

(2) L'article 8-4 de l'annexe 8 du Règlement est modifié par adjonction des paragraphes suivants :

(1.1) Si le réseau d'eau potable est alimenté par une source d'approvisionnement en eau brute constituée d'eaux souterraines, le propriétaire et l'organisme d'exploitation du réseau veillent à ce qu'un échantillon soit prélevé en application du paragraphe (1) dans chaque puits qui alimente le réseau.

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(3.1) Les paragraphes (2) et (3) ne s'appliquent pas aux gros réseaux non résidentiels municipaux ou non municipaux dotés de matériel de désinfection primaire aux ultraviolets qui ne fait appel ni à la chloration ni à la chloramination pour la désinfection primaire, si les conditions suivantes sont réunies :

- a) l'article 2-6 de l'annexe 2 est respecté;
- b) le matériel de désinfection aux ultraviolets est doté d'un dispositif destiné à empêcher toute eau d'être dirigée vers les usagers de l'eau qu'il traite s'il fait défaut, tombe en panne ou n'est plus en mesure d'assurer un niveau adéquat de désinfection.

(3) L'article 8-5 de l'annexe 8 du Règlement est modifié par adjonction du paragraphe suivant :

(1.1) Malgré le paragraphe (1), les analyses exigées par la présente annexe peuvent être effectuées par une personne qui n'est pas un exploitant agréé ou un analyste de la qualité de l'eau si cette personne réunit les conditions suivantes :

- a) elle a été formée par un exploitant agréé en vue d'effectuer les analyses;
- b) elle travaille sous la supervision d'un exploitant agréé;
- c) elle communique immédiatement tous les résultats d'analyse à un exploitant agréé.

(4) L'annexe 8 du Règlement est modifiée par adjonction de l'article suivant :

Réseau résidentiel toutes saisons non municipal : exploitants agréés

8-6.1 Si, par l'effet du paragraphe 2-11 (1) ou (2) de l'annexe 2, le propriétaire d'un réseau résidentiel toutes saisons non municipal n'est pas tenu de se conformer aux dispositions de cette annexe, la mention dans la présente annexe d'un exploitant agréé vaut mention, à l'égard du réseau, de n'importe quelle personne.

20. (1) Le paragraphe 9-3 (3) de l'annexe 9 du Règlement est abrogé et remplacé par ce qui suit :

(3) Le propriétaire et l'organisme d'exploitation d'un réseau d'eau potable qui assure la désinfection secondaire veillent à ce qu'au moins deux échantillons de distribution soient prélevés chaque semaine conformément au paragraphe (3.1) et analysés immédiatement en vue d'en mesurer :

- a) la concentration de chlore résiduel libre, si le réseau assure la chloration, mais non la chloramination;
- b) la concentration de chlore résiduel combiné, si le réseau assure la chloramination.

(3.1) Au moins un des échantillons de distribution visés au paragraphe (3) doit être prélevé au moins 48 heures après le prélèvement d'un des autres échantillons de distribution visés à ce paragraphe et au cours de la même semaine que ce prélèvement.

(2) L'article 9-4 de l'annexe 9 du Règlement est modifié par adjonction du paragraphe suivant :

(2.1) Les paragraphes (1) et (2) ne s'appliquent pas aux petits réseaux non résidentiels municipaux ou non municipaux dotés de matériel de désinfection primaire aux ultraviolets qui ne fait appel ni à la chloration ni à la chloramination pour la désinfection primaire, si les conditions suivantes sont réunies :

- a) l'article 2-6 de l'annexe 2 est respecté;
- b) le matériel de désinfection aux ultraviolets est doté d'un dispositif destiné à empêcher toute eau d'être dirigée vers les usagers de l'eau qu'il traite s'il fait défaut, tombe en panne ou n'est plus en mesure d'assurer un niveau adéquat de désinfection.

(3) L'article 9-5 de l'annexe 9 du Règlement est modifié par adjonction du paragraphe suivant :

(1.1) Malgré le paragraphe (1), les analyses exigées par la présente annexe peuvent être effectuées par une personne qui n'est pas une personne qualifiée ou un analyste de la qualité de l'eau si cette personne réunit les conditions suivantes :

- a) elle a été formée par un exploitant agréé en vue d'effectuer les analyses;
- b) elle travaille sous la supervision d'un exploitant agréé;
- c) elle communique immédiatement tous les résultats d'analyse à un exploitant agréé.

(4) Le paragraphe 9-6 (2) de l'annexe 9 du Règlement est abrogé et remplacé par ce qui suit :

(2) Les articles 9-2 à 9-4 ne s'appliquent pas pendant 60 jours consécutifs ou plus à un réseau résidentiel saisonnier non municipal lorsque celui-ci n'alimente pas ce qui suit :

- a) un établissement désigné ou une installation publique qui est ouvert;
- b) un grand aménagement résidentiel;
- c) un parc à roulottes ou un terrain de camping doté de plus de cinq branchements d'eau.

21. (1) L'alinéa 10-2 (2) a) de l'annexe 10 du Règlement est abrogé et remplacé par ce qui suit :

- a) les *Escherichia coli*;

(2) Le paragraphe 10-2 (3) de l'annexe 10 du Règlement est abrogé et remplacé par ce qui suit :

(3) Le propriétaire et l'organisme d'exploitation du réseau d'eau potable veillent à ce qu'au moins 25 pour cent des échantillons qui doivent être prélevés en application du paragraphe (1) soient analysés pour mesurer la population bactérienne générale, exprimée par numération sur plaque des colonies hétérotrophes.

(3) L'alinéa 10-3 a) de l'annexe 10 du Règlement est abrogé et remplacé par ce qui suit :

- a) les *Escherichia coli*;

(4) L'alinéa 10-3 c) de l'annexe 10 du Règlement est abrogé et remplacé par ce qui suit :

c) la population bactérienne générale, exprimée par numération sur plaque des colonies hétérotrophes.

(5) L'alinéa 10-4 (3) a) de l'annexe 10 du Règlement est abrogé et remplacé par ce qui suit :

a) les *Escherichia coli*;

(6) L'article 10-5 de l'annexe 10 du Règlement est abrogé.

22. (1) La disposition 2 de l'article 11-1 de l'annexe 11 du Règlement est abrogée.

(2) La disposition 4 de l'article 11-1 de l'annexe 11 du Règlement est abrogée.

(3) Le paragraphe 11-2 (1) de l'annexe 11 du Règlement est abrogé et remplacé par ce qui suit :

Échantillons de distribution

(1) Le propriétaire et l'organisme d'exploitation d'un réseau d'eau potable veillent à ce que :

a) soit prélevé au moins un échantillon de distribution toutes les deux semaines, si le réseau fournit du matériel de traitement conformément à l'annexe 1 ou 2 et que le matériel est utilisé conformément à cette annexe;

b) soit prélevé au moins un échantillon de distribution chaque semaine, si l'alinéa a) ne s'applique pas.

(4) L'alinéa 11-2 (2) a) de l'annexe 11 du Règlement est abrogé et remplacé par ce qui suit :

a) les *Escherichia coli*;

(5) L'alinéa 11-2 (2) c) de l'annexe 11 du Règlement est abrogé et remplacé par ce qui suit :

c) si l'article 1-5 de l'annexe 1 ou le paragraphe 2-5 (1) de l'annexe 2 s'applique au réseau, la population bactérienne générale, exprimée par numération sur plaque des colonies hétérotrophes.

(6) Les paragraphes 11-2 (3) à (5) de l'annexe 11 du Règlement sont abrogés.

(7) Les paragraphes 11-2 (6) et (7) de l'annexe 11 du Règlement sont abrogés et remplacés par ce qui suit :

(6) Si un réseau d'eau potable utilise des unités de traitement au point d'entrée, les échantillons prélevés en application du paragraphe (1) sont prélevés à des endroits situés en aval de celles-ci et par rotation de sorte qu'un échantillon soit prélevé à un endroit situé en aval de chaque unité au moins une fois par 24 mois.

(8) Les paragraphes 11-3 (1) et (2) de l'annexe 11 du Règlement sont abrogés et remplacés par ce qui suit :

Échantillons d'eau brute

(1) Si le réseau d'eau potable est alimenté par une source d'approvisionnement en eau brute constituée d'eaux souterraines ou que le réseau est réputé, aux termes de l'article 2, être alimenté par une source d'approvisionnement en eau brute constituée d'eaux de surface, le propriétaire et l'organisme d'exploitation du réseau veillent à ce qu'un échantillon d'eau brute soit prélevé au moins une fois par mois dans chaque puits qui alimente le réseau, avant que cette eau ne subisse quelque traitement que ce soit.

(9) L'alinéa 11-3 (3) a) de l'annexe 11 du Règlement est abrogé et remplacé par ce qui suit :

a) les *Escherichia coli*;

23. (1) L'article 12-1 de l'annexe 12 du Règlement est modifié par adjonction des dispositions suivantes :

0.1 Les gros réseaux non résidentiels municipaux.

2.1 Les gros réseaux non résidentiels et non municipaux.

(2) Le paragraphe 12-2 (1) de l'annexe 12 du Règlement est abrogé et remplacé par ce qui suit :

Échantillons de distribution

(1) Le propriétaire et l'organisme d'exploitation d'un réseau d'eau potable veillent à ce que :

a) soit prélevé au moins un échantillon de distribution chaque mois, si le réseau fournit du matériel de traitement conformément à l'annexe 2 et que le matériel est utilisé conformément à cette annexe;

b) soit prélevé au moins un échantillon de distribution toutes les deux semaines, si l'alinéa a) ne s'applique pas.

(3) L'alinéa 12-2 (3) a) de l'annexe 12 du Règlement est abrogé et remplacé par ce qui suit :

a) les *Escherichia coli*;

(4) L'alinéa 12-2 (3) c) de l'annexe 12 du Règlement est abrogé et remplacé par ce qui suit :

- c) si le paragraphe 2-5 (1) de l'annexe 2 s'applique au réseau, la population bactérienne générale, exprimée par numération sur plaque des colonies hétérotrophes.

(5) Les paragraphes 12-2 (4), (5) et (6) de l'annexe 12 du Règlement sont abrogés.

(6) Le paragraphe 12-2 (7) de l'annexe 12 du Règlement est abrogé et remplacé par ce qui suit :

(7) Si un réseau d'eau potable utilise des unités de traitement au point d'entrée, les échantillons prélevés en application du paragraphe (1) sont prélevés à des endroits situés en aval de celles-ci et les règles suivantes s'appliquent :

- a) dans le cas d'un réseau résidentiel saisonnier non municipal qui dessert un grand aménagement résidentiel, les échantillons sont prélevés par rotation de sorte qu'un échantillon soit prélevé à un endroit situé en aval de chaque unité au moins une fois par 24 mois;
- b) dans les autres cas, les échantillons sont prélevés par rotation de sorte que, après qu'un échantillon est prélevé à un endroit situé en aval d'une unité particulière, aucun autre échantillon ne soit prélevé à un endroit situé en aval de la même unité avant que des échantillons n'aient été prélevés à des endroits situés en aval de toutes les autres unités.

(7) Le paragraphe 12-2 (8) de l'annexe 12 du Règlement est abrogé.

(8) Les paragraphes 12-3 (1) et (2) de l'annexe 12 du Règlement sont abrogés et remplacés par ce qui suit :

Échantillons d'eau brute

(1) Si le réseau d'eau potable est alimenté par une source d'approvisionnement en eau brute constituée d'eaux souterraines ou que le réseau est réputé, aux termes de l'article 2, être alimenté par une source d'approvisionnement en eau brute constituée d'eaux de surface, le propriétaire et l'organisme d'exploitation du réseau veillent à ce qu'un échantillon d'eau brute soit prélevé au moins une fois par mois dans chaque puits qui alimente le réseau, avant que cette eau ne subisse quelque traitement que ce soit.

(9) L'alinéa 12-3 (3) a) de l'annexe 12 du Règlement est abrogé et remplacé par ce qui suit :

- a) les *Escherichia coli*;

(10) L'article 12-4 de l'annexe 12 du Règlement est abrogé et remplacé par ce qui suit :

Exploitation interrompue pendant sept jours ou plus

12-4. (1) Les articles 12-2 et 12-3 ne s'appliquent pas pendant sept jours consécutifs ou plus à un gros réseau non résidentiel municipal, un petit réseau non résidentiel municipal, un gros réseau non résidentiel et non municipal et un petit réseau non résidentiel et non municipal lorsque celui-ci n'alimente pas un établissement désigné ou une installation publique qui est ouvert.

(2) Les articles 12-2 et 12-3 ne s'appliquent pas pendant sept jours consécutifs ou plus à un réseau résidentiel saisonnier non municipal lorsque celui-ci n'alimente pas ce qui suit :

- a) un établissement désigné ou une installation publique qui est ouvert;
- b) un grand aménagement résidentiel;
- c) un parc à roulettes ou un terrain de camping doté de plus de cinq branchements d'eau.

(3) Si, par l'effet du paragraphe (1) ou (2), les articles 12-2 et 12-3 ne s'appliquent pas à un réseau d'eau potable pendant une période de sept jours consécutifs ou plus, le propriétaire et l'organisme d'exploitation du réseau veillent à ce qu'aucun usager du réseau ne soit alimenté en eau potable après cette période avant que des échantillons n'aient été prélevés et analysés en application des articles 12-2 et 12-3 et que les résultats des analyses ne leur aient été communiqués.

24. (1) La disposition 3 de l'article 13-1 de l'annexe 13 du Règlement est abrogée.

(2) La disposition 5 de l'article 13-1 de l'annexe 13 du Règlement est abrogée.

(3) L'article 13-2 de l'annexe 13 du Règlement est abrogé et remplacé par ce qui suit :

Substances inorganiques

13-2. (1) Le propriétaire et l'organisme d'exploitation d'un gros réseau résidentiel municipal veillent à ce que :

- a) soit prélevé au moins un échantillon d'eau tous les 12 mois, si le réseau est alimenté par une source d'approvisionnement en eau brute constituée d'eaux de surface;
- b) soit prélevé au moins un échantillon d'eau tous les 36 mois, si le réseau est alimenté par une source d'approvisionnement en eau brute constituée d'eaux souterraines.

(2) Le propriétaire et l'organisme d'exploitation d'un gros réseau résidentiel municipal veillent à ce que chacun des échantillons prélevés en application du paragraphe (1) soit analysé pour mesurer chacun des paramètres énumérés à l'annexe 23.

(3) Le propriétaire et l'organisme d'exploitation d'un petit réseau résidentiel municipal ou d'un réseau résidentiel toutes saisons non municipal veillent à ce qu'au moins un échantillon d'eau soit prélevé tous les 60 mois et analysé pour mesurer chacun des paramètres énumérés à l'annexe 23.

(4) L'article 13-4 de l'annexe 13 du Règlement est abrogé et remplacé par ce qui suit :

Substances organiques

13-4. (1) Le propriétaire et l'organisme d'exploitation d'un gros réseau résidentiel municipal veillent à ce que :

- a) soit prélevé au moins un échantillon d'eau tous les 12 mois, si le réseau est alimenté par une source d'approvisionnement en eau brute constituée d'eaux de surface;
- b) soit prélevé au moins un échantillon d'eau tous les 36 mois, si le réseau est alimenté par une source d'approvisionnement en eau brute constituée d'eaux souterraines.

(2) Le propriétaire et l'organisme d'exploitation d'un gros réseau résidentiel municipal veillent à ce que chacun des échantillons prélevés en application du paragraphe (1) soit analysé pour mesurer chacun des paramètres énumérés à l'annexe 24.

(3) Le propriétaire et l'organisme d'exploitation d'un petit réseau résidentiel municipal ou d'un réseau résidentiel toutes saisons non municipal veillent à ce qu'au moins un échantillon d'eau soit prélevé tous les 60 mois et analysé pour mesurer chacun des paramètres énumérés à l'annexe 24.

25. L'annexe 14 du Règlement est abrogée.

26. (1) L'article 15-1 de l'annexe 15 du Règlement est abrogé et remplacé par ce qui suit :

Champ d'application

15-1. La présente annexe s'applique aux réseaux d'eau potable suivants :

1. Les gros réseaux non résidentiels municipaux.
2. Les petits réseaux non résidentiels municipaux.
3. Les réseaux résidentiels saisonniers non municipaux.
4. Les gros réseaux non résidentiels et non municipaux.
5. Les petits réseaux non résidentiels et non municipaux.

(2) Le paragraphe 15-4 (2) de l'annexe 15 du Règlement est abrogé et remplacé par ce qui suit :

(2) Le paragraphe (1) ne s'applique pas pendant 60 jours consécutifs ou plus à un gros réseau non résidentiel municipal, un petit réseau non résidentiel municipal, un gros réseau non résidentiel et non municipal et un petit réseau non résidentiel et non municipal lorsque celui-ci n'alimente pas un établissement désigné ou une installation publique qui est ouvert.

(3) Le paragraphe (1) ne s'applique pas pendant 60 jours consécutifs ou plus à un réseau résidentiel saisonnier non municipal lorsque celui-ci n'alimente pas ce qui suit :

- a) un établissement désigné ou une installation publique qui est ouvert;
- b) un grand aménagement résidentiel;
- c) un parc à roulotte ou un terrain de camping doté de plus de cinq branchements d'eau.

27. (1) Les dispositions 4 et 5 de l'article 16-3 de l'annexe 16 du Règlement sont abrogées et remplacées par ce qui suit :

4. Si le réseau d'eau potable est tenu d'assurer la désinfection secondaire conformément à l'article 1-5 de l'annexe 1 ou à l'article 2-5 de l'annexe 2, qu'il assure la chloration, mais non la chloramination et qu'un rapport visé au paragraphe 18 (1) de la Loi n'a pas été fait à l'égard du chlore résiduel libre au cours des 24 heures précédentes, celui qui indique une concentration de chlore résiduel libre inférieure à 0,05 milligramme par litre dans :

- i. soit un échantillon de distribution qui est un échantillon ponctuel,
- ii. soit deux échantillons de distribution qui sont analysés au moyen de matériel de surveillance continue, s'ils ont été prélevés à au moins 15 minutes d'intervalle et que le dernier des deux était le premier à avoir été prélevé au moins 15 minutes après le premier.

5. Si le réseau d'eau potable est tenu d'assurer la désinfection secondaire conformément à l'article 1-5 de l'annexe 1 ou à l'article 2-5 de l'annexe 2, qu'il assure la chloramination et qu'un rapport visé au paragraphe 18 (1) de la Loi n'a pas été fait à l'égard du chlore résiduel combiné au cours des 24 heures précédentes, celui qui indique une concentration de chlore résiduel combiné inférieure à 0,25 milligramme par litre et une concentration de chlore résiduel libre inférieure à 0,05 milligramme par litre dans :

- i. soit un échantillon de distribution qui est un échantillon ponctuel,
- ii. soit deux échantillons de distribution qui sont analysés au moyen de matériel de surveillance continue, s'ils ont été prélevés à au moins 15 minutes d'intervalle et que le dernier des deux était le premier à avoir été prélevé au moins 15 minutes après le premier.

(2) La sous-disposition 6 ii de l'article 16-3 de l'annexe 16 du Règlement est abrogée et remplacée par ce qui suit :

- ii. soit deux échantillons d'eau prélevés dans la conduite d'effluent d'un filtre et analysés au moyen de matériel de surveillance continue, si :

A. d'une part, les deux échantillons ont été prélevés à au moins 15 minutes d'intervalle et que le dernier des deux était le premier à avoir été prélevé au moins 15 minutes après le premier,

B. d'autre part, la conduite d'effluent d'un filtre achemine l'eau vers la prochaine étape du traitement.

(3) L'article 16-3 de l'annexe 16 du Règlement est modifié par adjonction du paragraphe suivant :

(2) Malgré le paragraphe (1), un résultat ne constitue pas un résultat insatisfaisant d'une analyse de l'eau potable pour l'application de l'article 18 de la Loi si :

- a) d'une part, le résultat indique la conformité avec une condition dont est assortie une approbation ou un permis en vertu de l'alinéa 38 (2) b), 46 (2) b) ou 60 (2) b) de la Loi;
- b) d'autre part, l'analyse a été effectuée sur les lieux mêmes du réseau d'eau potable ou le propriétaire ou l'organisme d'exploitation du réseau a donné un avis écrit de la condition visée à l'alinéa a) au laboratoire qui a effectué l'analyse.

(4) L'article 16-4 de l'annexe 16 du Règlement est abrogé et remplacé par ce qui suit :

Obligation de faire rapport d'autres constatations

16-4. Si une constatation autre qu'un résultat d'analyse insatisfaisant prescrit par l'article 16-3 indique qu'un réseau d'eau potable qui assure ou est tenu d'assurer la désinfection fournit à ses usagers de l'eau qui n'a pas été désinfectée conformément à la procédure de désinfection de l'eau potable en Ontario du ministère :

- a) le propriétaire du réseau en fait rapport au ministère et au médecin-hygiéniste immédiatement après qu'est faite la constatation;
- b) si un organisme d'exploitation est responsable de l'exploitation du réseau, il en fait rapport au ministère, au médecin-hygiéniste et au propriétaire du réseau immédiatement après qu'est faite la constatation.

(5) Le paragraphe 16-5 (1) de l'annexe 16 du Règlement est abrogé et remplacé par ce qui suit :

Rapport aux établissements désignés

(1) Le propriétaire d'un réseau d'eau potable qui est tenu de faire rapport en application du paragraphe 18 (1) de la Loi ou de l'alinéa 16-4 a) ou qui reçoit le rapport prévu à l'alinéa 16-4 b) fait rapport à l'exploitant de chaque établissement désigné que dessert le réseau immédiatement après qu'il fait le rapport ainsi prévu ou qu'il reçoit le rapport ainsi prévu.

(6) L'article 16-8 de l'annexe 16 du Règlement est modifié par adjonction des paragraphes suivants :

(1.1) Le paragraphe (1) ne s'applique pas au rapport immédiat que fait le propriétaire d'un réseau d'eau potable s'il se rapporte à un résultat insatisfaisant d'une analyse qui n'a pas été effectuée sur lieux mêmes du réseau.

(1.2) Si la personne qui exploite un laboratoire donne un rapport immédiat en application de l'article 18 de la Loi à l'égard d'un résultat qui dépasse une norme prescrite par l'annexe 1 des normes de qualité de l'eau potable de l'Ontario et qui a été obtenu à l'égard d'un échantillon d'eau dont le présent règlement ou une approbation, une ordonnance ou un arrêté, y compris une approbation visée par la LREO ou un texte visé par la LREO, exige l'analyse pour mesurer un paramètre microbiologique et que le laboratoire a reçu un avis du résultat d'analyse de l'autre échantillon dont l'article 6-3 de l'annexe 6 exige le prélèvement et l'analyse en vue d'en mesurer le chlore résiduel libre ou le chlore résiduel combiné, le rapport immédiat doit également préciser cet autre résultat.

(7) Le paragraphe 16-8 (2) de l'annexe 16 du Règlement est modifié par suppression de «par le propriétaire d'un réseau d'eau potable» dans le passage qui précède l'alinéa a).

(8) Le paragraphe 16-8 (3) de l'annexe 16 du Règlement est abrogé et remplacé par ce qui suit :

(3) Le paragraphe (2) ne s'applique pas à un rapport donné en application de la disposition 2 du paragraphe 18 (1) de la Loi par une personne qui exploite un laboratoire.

(4) Sous réserve du paragraphe (3), les paragraphes (1) et (2) s'appliquent également, avec les adaptations nécessaires, à l'avis écrit donné en application de l'article 16-7.

(9) L'annexe 16 du Règlement est modifiée par adjonction de l'article suivant :

Organismes d'exploitation

16-10. L'organisme d'exploitation d'un réseau d'eau potable qui a convenu avec son propriétaire de donner les rapports ou les avis en son nom en application de l'article 18 de la Loi ou de la présente annexe respecte son engagement.

28. (1) La disposition 1 de l'article 17-4 de l'annexe 17 du Règlement est abrogée et remplacée par ce qui suit :

1. Effectuer immédiatement la vidange des conduites d'eau principales et reprendre la désinfection secondaire de sorte à obtenir :
 - i. soit une concentration de chlore résiduel libre d'au moins 0,05 milligramme par litre en tous points des parties touchées du réseau de distribution, si le réseau d'eau potable assure la chloration, mais non la chloramination,
 - ii. soit une concentration de chlore résiduel combiné d'au moins 0,25 milligramme par litre en tous points des parties touchées du réseau de distribution, si le réseau d'eau potable assure la chloramination.

(2) L'article 17-5 de l'annexe 17 du Règlement est modifié par substitution de «à l'égard des *Escherichia coli* (E. coli)» à «à l'égard des *Escherichia coli* (E. coli) ou des coliformes fécaux» dans le passage qui précède la disposition 1.

(3) La disposition 3 de l'article 17-5 de l'annexe 17 du Règlement est modifiée par substitution de «jusqu'à ce que la présence d'*Escherichia coli* (E. coli)» à «jusqu'à ce que la présence d'*Escherichia coli* (E. coli) ou de coliformes fécaux».

(4) La disposition 1 de l'article 17-6 de l'annexe 17 du Règlement est abrogée et remplacée par ce qui suit :

1. Prélever de nouveaux échantillons et les analyser dès qu'il est raisonnablement possible de le faire.

(5) Les articles 17-7 et 17-8 de l'annexe 17 du Règlement sont abrogés.

(6) La disposition 1 de l'article 17-9 de l'annexe 17 du Règlement est abrogée et remplacée par ce qui suit :

1. Prélever de nouveaux échantillons et les analyser dès qu'il est raisonnablement possible de le faire.

(7) La disposition 1 de l'article 17-10 de l'annexe 17 du Règlement est abrogée et remplacée par ce qui suit :

1. Prélever de nouveaux échantillons et les analyser dès qu'il est raisonnablement possible de le faire.

(8) La disposition 1 de l'article 17-11 de l'annexe 17 du Règlement est abrogée et remplacée par ce qui suit :

1. Prélever de nouveaux échantillons et les analyser dès qu'il est raisonnablement possible de le faire.

(9) La disposition 1 de l'article 17-12 de l'annexe 17 du Règlement est abrogée et remplacée par ce qui suit :

1. Prélever de nouveaux échantillons et les analyser dès qu'il est raisonnablement possible de le faire.

(10) La disposition 1 de l'article 17-13 de l'annexe 17 du Règlement est abrogée et remplacée par ce qui suit :

1. Prélever de nouveaux échantillons et les analyser dès qu'il est raisonnablement possible de le faire.

29. (1) La disposition 2 de l'article 18-2 de l'annexe 18 du Règlement est abrogée et remplacée par ce qui suit :

2. Prendre immédiatement toutes les mesures raisonnables pour aviser tous les usagers du réseau d'utiliser une autre source d'eau potable ou, s'il n'en existe aucune autre, de faire bouillir l'eau à gros bouillons pendant au moins une minute avant de l'utiliser.

(2) La sous-disposition 4 i de l'article 18-3 de l'annexe 18 du Règlement est abrogée et remplacée par ce qui suit :

- i. prendre immédiatement toutes les mesures raisonnables pour aviser tous les usagers du réseau d'utiliser une autre source d'eau potable ou, s'il n'en existe aucune autre, de faire bouillir l'eau à gros bouillons pendant au moins une minute avant de l'utiliser,

(3) Les dispositions 1 et 2 de l'article 18-4 de l'annexe 18 du Règlement sont abrogées et remplacées par ce qui suit :

1. Effectuer immédiatement la vidange du réseau de distribution et de toute installation de plomberie appartenant au propriétaire du réseau d'eau potable et reprendre la désinfection secondaire de sorte à obtenir rapidement :
 - i. soit une concentration de chlore résiduel libre d'au moins 0,05 milligramme par litre en tous points des parties touchées du réseau de distribution et de l'installation de plomberie, si le réseau d'eau potable assure la chloration, mais non la chloramination,
 - ii. soit une concentration de chlore résiduel combiné d'au moins 0,25 milligramme par litre en tous points des parties touchées du réseau de distribution et de l'installation de plomberie, si le réseau d'eau potable assure la chloramination.

2. Si le réseau d'eau potable assure la chloration, mais non la chloramination et qu'une concentration de chlore résiduel libre d'au moins 0,05 milligramme par litre ne peut pas être obtenue rapidement en tous points des parties touchées du réseau de distribution et de l'installation de plomberie, prendre immédiatement toutes les mesures raisonnables pour aviser tous les usagers du réseau d'utiliser une autre source d'eau potable ou, s'il n'en existe aucune autre, de faire bouillir l'eau à gros bouillons pendant au moins une minute avant de l'utiliser.
- 2.1 Si le réseau d'eau potable assure la chloramination et qu'une concentration de chlore résiduel combiné d'au moins 0,25 milligramme par litre ne peut pas être obtenue rapidement en tous points des parties touchées du réseau de distribution et de l'installation de plomberie, prendre immédiatement toutes les mesures raisonnables pour aviser tous les usagers du réseau d'utiliser une autre source d'eau potable ou, s'il n'en existe aucune autre, de faire bouillir l'eau à gros bouillons pendant au moins une minute avant de l'utiliser.

(4) Les articles 18-5 et 18-6 de l'annexe 18 du Règlement sont abrogés et remplacés par ce qui suit :

***Escherichia coli* (E. coli)**

18-5. Si l'article 18 de la Loi exige que soit fait un rapport à l'égard des *Escherichia coli* (E. coli), le propriétaire et l'organisme d'exploitation du réseau d'eau potable veillent à ce que soient prises les mesures correctives suivantes :

1. Prendre immédiatement toutes les mesures raisonnables pour aviser tous les usagers du réseau d'utiliser une autre source d'eau potable ou, s'il n'en existe aucune autre, de faire bouillir l'eau à gros bouillons pendant au moins une minute avant de l'utiliser.
2. Prélever immédiatement de nouveaux échantillons et les analyser.
3. Augmenter immédiatement la dose de chlore et effectuer immédiatement la vidange du réseau de distribution et de toute installation de plomberie appartenant au propriétaire du réseau d'eau potable de sorte à obtenir :
 - i. soit une concentration de chlore résiduel libre d'au moins 0,2 milligramme par litre en tous points des parties touchées du réseau de distribution et de l'installation de plomberie, si le réseau d'eau potable assure la chloration, mais non la chloramination,
 - ii. soit une concentration de chlore résiduel combiné d'au moins 1,0 milligramme par litre en tous points des parties touchées du réseau de distribution et de l'installation de plomberie, si le réseau d'eau potable assure la chloramination.
4. Si le réseau assure la chloration ou la chloramination, maintenir la concentration de chlore résiduel libre ou de chlore résiduel combiné visée à la disposition 3 dans les parties touchées du réseau de distribution et de l'installation de plomberie, et continuer à prélever de nouveaux échantillons et à les analyser, jusqu'à ce que la présence de *Escherichia coli* (E. coli) ne soit constatée dans aucun des échantillons provenant de deux séries consécutives d'échantillons prélevés à intervalles de 24 à 48 heures ou selon ce qu'ordonne autrement le médecin-hygiéniste.
5. Si le réseau n'assure ni la chloration ni la chloramination, prendre immédiatement les mesures correctives pertinentes qui sont décrites dans les mesures correctives à prendre pour les réseaux n'utilisant pas de chlore établies par le ministère.
6. Prendre les autres mesures qu'ordonne le médecin-hygiéniste.

Coliformes totaux

18-6. Si l'article 18 de la Loi exige que soit fait un rapport à l'égard des coliformes totaux, le propriétaire et l'organisme d'exploitation du réseau d'eau potable veillent à ce que soient prises les mesures correctives suivantes :

1. Prélever de nouveaux échantillons et les analyser dès qu'il raisonnablement possible de le faire.
2. Si la présence de coliformes totaux est constatée en application de la disposition 1, augmenter immédiatement la dose de chlore et effectuer immédiatement la vidange du réseau de distribution et de toute installation de plomberie appartenant au propriétaire du réseau d'eau potable de sorte à obtenir :
 - i. soit une concentration de chlore résiduel libre d'au moins 0,2 milligramme par litre en tous points des parties touchées du réseau de distribution et de l'installation de plomberie, si le réseau d'eau potable assure la chloration, mais non la chloramination,
 - ii. soit une concentration de chlore résiduel combiné d'au moins 1,0 milligramme par litre en tous points des parties touchées du réseau de distribution et de l'installation de plomberie, si le réseau d'eau potable assure la chloramination.
3. Si la présence de coliformes totaux est constatée en application de la disposition 1 et que le réseau assure la chloration ou la chloramination, maintenir la concentration de chlore résiduel libre ou de chlore résiduel combiné visée à la disposition 2 dans les parties touchées du réseau de distribution et de l'installation de plomberie, et continuer à prélever de nouveaux échantillons et à les analyser, jusqu'à ce que la présence de coliformes totaux ne soit constatée dans aucun des échantillons provenant de deux séries consécutives d'échantillons prélevés à intervalles de 24 à 48 heures ou selon ce qu'ordonne autrement le médecin-hygiéniste.

4. Si la présence de coliformes totaux est constatée en application de la disposition 1 et que le réseau n'assure ni la chloration ni la chloramination, prendre immédiatement les mesures correctives pertinentes qui sont décrites dans les mesures correctives à prendre pour les réseaux n'utilisant pas de chlore établies par le ministère.
5. Prendre les autres mesures qu'ordonne le médecin-hygiéniste.

(5) Les articles 18-7 et 18-8 de l'annexe 18 du Règlement sont abrogés.

(6) L'article 18-9 de l'annexe 18 du Règlement est abrogé et remplacé par ce qui suit :

Aeromonas spp. et autres

18-9. Si l'article 18 de la Loi exige que soit fait un rapport à l'égard des *Aeromonas* spp., des *Pseudomonas aeruginosa*, des *Staphylococcus aureus*, des *Clostridium* spp. ou des streptocoques fécaux (streptocoques de groupe D), le propriétaire et l'organisme d'exploitation du réseau d'eau potable veillent à ce que soient prises les mesures correctives suivantes :

1. Prélever de nouveaux échantillons et les analyser dès qu'il est raisonnablement possible de le faire.
2. Si la présence d'*Aeromonas* spp., de *Pseudomonas aeruginosa*, de *Staphylococcus aureus*, de *Clostridium* spp. ou de streptocoques fécaux (streptocoques de groupe D) est constatée en application de la disposition 1, augmenter immédiatement la dose de chlore et effectuer immédiatement la vidange du réseau de distribution et de toute installation de plomberie appartenant au propriétaire du réseau d'eau potable de sorte à obtenir :
 - i. soit une concentration de chlore résiduel libre d'au moins 0,2 milligramme par litre en tous points des parties touchées du réseau de distribution et de l'installation de plomberie, si le réseau d'eau potable assure la chloration, mais non la chloramination,
 - ii. soit une concentration de chlore résiduel combiné d'au moins 1,0 milligramme par litre en tous points des parties touchées du réseau de distribution et de l'installation de plomberie, si le réseau d'eau potable assure la chloramination.
3. Si la présence d'*Aeromonas* spp., de *Pseudomonas aeruginosa*, de *Staphylococcus aureus*, de *Clostridium* spp. ou de streptocoques fécaux (streptocoques de groupe D) est constatée en application de la disposition 1 et que le réseau assure la chloration ou la chloramination, maintenir la concentration de chlore résiduel libre ou de chlore résiduel combiné visée à la disposition 2 dans les parties touchées du réseau de distribution et de l'installation de plomberie, et continuer à prélever de nouveaux échantillons et à les analyser, jusqu'à ce que la présence de ces substances ne soit constatée dans aucun des échantillons provenant de deux séries consécutives d'échantillons prélevés à intervalles de 24 à 48 heures ou selon ce qu'ordonne autrement le médecin-hygiéniste.
4. Si la présence d'*Aeromonas* spp., de *Pseudomonas aeruginosa*, de *Staphylococcus aureus*, de *Clostridium* spp. ou de streptocoques fécaux (streptocoques de groupe D) est constatée en application de la disposition 1 et que le réseau n'assure ni la chloration ni la chloramination, prendre immédiatement les mesures correctives pertinentes qui sont décrites dans les mesures correctives à prendre pour les réseaux n'utilisant pas de chlore établies par le ministère.
5. Prendre les autres mesures qu'ordonne le médecin-hygiéniste.

(7) La disposition 1 de l'article 18-10 de l'annexe 18 du Règlement est abrogée et remplacée par ce qui suit :

1. Prélever de nouveaux échantillons et les analyser dès qu'il est raisonnablement possible de le faire.

(8) La disposition 1 de l'article 18-11 de l'annexe 18 du Règlement est abrogée et remplacée par ce qui suit :

1. Prélever de nouveaux échantillons et les analyser dès qu'il est raisonnablement possible de le faire.

(9) La disposition 1 de l'article 18-12 de l'annexe 18 du Règlement est abrogée et remplacée par ce qui suit :

1. Prélever de nouveaux échantillons et les analyser dès qu'il est raisonnablement possible de le faire.

(10) La disposition 1 de l'article 18-13 de l'annexe 18 du Règlement est abrogée et remplacée par ce qui suit :

1. Prélever de nouveaux échantillons et les analyser dès qu'il est raisonnablement possible de le faire.

30. L'alinéa 19-2 (1) a) de l'annexe 19 du Règlement est abrogé et remplacé par ce qui suit :

- a) le propriétaire ou l'organisme d'exploitation doit, en application de l'annexe 18, prendre toutes les mesures raisonnables pour aviser tous les usagers du réseau d'utiliser une autre source d'eau potable ou, s'il n'en existe aucune autre, de faire bouillir l'eau à gros bouillons pendant au moins une minute avant de l'utiliser;

31. L'annexe 20 du Règlement est abrogée.

32. (1) Le paragraphe 21-2 (1) de l'annexe 21 du Règlement est modifié par substitution de «après que la disposition 2 du paragraphe 2-2 (1) commence à s'appliquer» à «après que les articles 2-2 à 2-6 commencent à s'appliquer».

(2) Le paragraphe 21-2 (3) de l'annexe 21 du Règlement est abrogé et remplacé par ce qui suit :

(3) Si une approbation visée par la LREO a été accordée après le 1^{er} août 2000 à l'égard du réseau, le propriétaire est réputé s'être conformé au paragraphe (1) et à sa première obligation de remettre un avis au directeur en application de l'article 21-7 et, pour l'application de la présente annexe, la préparation du rapport exigé par le paragraphe (1) est réputée avoir été exigée au plus tard à la date à laquelle l'approbation visée par la LREO a été accordée si le propriétaire remet au directeur une déclaration écrite d'un ingénieur qui possède de l'expérience en génie sanitaire dans le contexte des réseaux d'eau potable indiquant ce qui suit :

- a) l'ingénieur ou une personne agissant sous sa supervision a visité le réseau;
- b) de l'avis de l'ingénieur :
 - (i) tout le matériel exigé afin de garantir la conformité à l'annexe 2 est fourni,
 - (ii) tout le matériel exigé afin de garantir la conformité aux annexes 6, 8 et 9 est fourni.

(3) L'article 21-3 de l'annexe 21 du Règlement est modifié par adjonction du paragraphe suivant :

(3) Le paragraphe (1) ne s'applique pas à un réseau résidentiel toutes saisons non municipal si, par l'effet du paragraphe 2-11 (2) de l'annexe 2, la disposition 2 de l'article 2-2 de cette annexe ne s'applique pas au réseau immédiatement après que son exploitation a débuté, toutefois si cette disposition s'applique ultérieurement au réseau, son propriétaire veille à ce que, au plus tard 30 jours après la date où elle commence à s'appliquer, un ingénieur qui possède de l'expérience en génie sanitaire dans le contexte des réseaux d'eau potable prépare un rapport conforme à l'article 21-5.

(4) L'article 21-4 de l'annexe 21 du Règlement est abrogé.

(5) L'alinéa 21-5 b) de l'annexe 21 du Règlement est modifié par substitution de ce qui suit au passage qui précède le sous-alinéa (i) :

- b) l'ingénieur qui prépare le rapport déclare dans celui-ci que lui-même ou une personne agissant sous sa supervision a visité le réseau d'eau potable et que de l'avis de l'ingénieur :

.

(6) L'article 21-6 de l'annexe 21 du Règlement est modifié par substitution de «un rapport en application de l'article 21-2 ou 21-3» à «un rapport en application de l'article 21-2, 21-3 ou 21-4».

25/06

ONTARIO REGULATION 248/06

made under the

SAFE DRINKING WATER ACT, 2002

Made: November 23, 2005

Filed: June 5, 2006

Published on e-Laws: June 6, 2006

Printed in *The Ontario Gazette*: June 24, 2006

Amending O. Reg. 169/03

(Ontario Drinking-Water Quality Standards)

Note: Ontario Regulation 169/03 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Items 2, 4 and 5 of Schedule 1 to Ontario Regulation 169/03 are revoked.

2. Item 72 of Schedule 2 to the Regulation is revoked and the following substituted:

| | | |
|-----|-------------------|-------|
| 72. | Trichloroethylene | 0.005 |
|-----|-------------------|-------|

RÈGLEMENT DE L'ONTARIO 248/06

pris en application de la

LOI DE 2002 SUR LA SALUBRITÉ DE L'EAU POTABLE

pris le 23 novembre 2005

déposé le 5 juin 2006

publié sur le site Lois-en-ligne le 6 juin 2006

imprimé dans la *Gazette de l'Ontario* le 24 juin 2006

modifiant le Règl. de l'Ont. 169/03

(Normes de qualité de l'eau potable de l'Ontario)

Remarque : Le Règlement de l'Ontario 169/03 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des règlements qui se trouve sur le site www.lois-en-ligne.gouv.on.ca.

1. Les points 2, 4 et 5 de l'annexe 1 du Règlement de l'Ontario 169/03 sont abrogés.

2. Le point 72 de l'annexe 2 du Règlement est abrogé et remplacé par ce qui suit :

| | | |
|-----|-------------------|-------|
| 72. | Trichloroéthylène | 0,005 |
|-----|-------------------|-------|

25/06

ONTARIO REGULATION 249/06

made under the

SAFE DRINKING WATER ACT, 2002

Made: November 23, 2005

Filed: June 5, 2006

Published on e-Laws: June 6, 2006

Printed in *The Ontario Gazette*: June 24, 2006

Amending O. Reg. 252/05

(Non-Residential and Non-Municipal Seasonal Residential Systems
that Do Not Serve Designated Facilities)

Note: Ontario Regulation 252/05 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Clause (a) of the definition of “service connection” in subsection 1 (1) of Ontario Regulation 252/05 is revoked and the following substituted:

(a) a point where a drinking-water system connects to plumbing, other than plumbing in a trailer park or campground, or

2. Section 5 of the Regulation is amended by striking out the portion before clause (a) and substituting the following:

5. This Regulation, except sections 7, 8, 8.1 and 9, does not apply to a drinking-water system if,

3. The Regulation is amended by adding the following section:

Exemptions from transfer of ownership requirements of Act

8.1 Section 51 of the Act does not apply to a large municipal non-residential system or small municipal non-residential system.

4. (1) Section 1-2 of Schedule 1 to the Regulation is revoked and the following substituted:

Frequency of sampling

1-2. (1) If this Regulation or an approval or order, including an OWRA order, requires at least one water sample to be taken every week and tested for a parameter, the owner of the drinking-water system and the operating authority for the system shall ensure that at least one sample that is taken during a week for the purpose of being tested for that parameter is taken at least five days, and not more than 10 days, after a sample was taken for that purpose in the previous week.

(2) If this Regulation or an approval or order, including an OWRA order, requires at least one water sample to be taken every two weeks and tested for a parameter, the owner of the drinking-water system and the operating authority for the system shall ensure that at least one sample that is taken during a two-week period for the purpose of being tested for that parameter is taken at least 10 days, and not more than 20 days, after a sample was taken for that purpose in the previous two-week period.

(3) If this Regulation or an approval or order, including an OWRA order, requires at least one water sample to be taken every month and tested for a parameter, the owner of the drinking-water system and the operating authority for the system shall ensure that at least one sample that is taken during a month for the purpose of being tested for that parameter is taken at least 20 days, and not more than 40 days, after a sample was taken for that purpose in the previous month.

(2) Clause 1-5 (b) of Schedule 1 to the Regulation is amended by striking out “a professional engineer certifies” and substituting “a professional engineer states”.

5. (1) Paragraph 1 of section 4-3 of Schedule 4 to the Regulation is revoked and the following substituted:

1. A result that exceeds any of the standards prescribed by Schedule 1, 2 or 3 to the Ontario Drinking-Water Quality Standards, other than the standard for fluoride, if the result is from a sample of drinking water.

(2) Section 4-6 of Schedule 4 to the Regulation is amended by adding the following subsections:

(1.1) Subsection (1) does not apply to an immediate report given by the owner of a drinking-water system if the report relates to an adverse test result from a test that that was not conducted at the system.

(1.2) If the person operating a laboratory gives an immediate report under section 18 of the Act in respect of a result that exceeds any of the standards prescribed by Schedule 1 to the Ontario Drinking-Water Quality Standards for a water sample that was required, by this Regulation or an approval or order, including an OWRA approval or OWRA order, to be tested for a microbiological parameter, and the laboratory received notice of the test result for the other sample that, under section 1-3 of Schedule 1, was required to be taken and tested for free chlorine residual or combined chlorine residual, the immediate report must also specify that test result.

(3) Schedule 4 to the Regulation is amended by adding the following section:

Operating authorities

4-8. An operating authority that has agreed with the owner of a drinking-water system to give reports or notices on behalf of the owner under section 18 of the Act or this Schedule shall comply with the agreement.

25/06

ONTARIO REGULATION 250/06

made under the

SAFE DRINKING WATER ACT, 2002

Made: November 23, 2005

Filed: June 5, 2006

Published on e-Laws: June 6, 2006

Printed in *The Ontario Gazette*: June 24, 2006

Amending O. Reg. 248/03
(Drinking-Water Testing Services)

Note: Ontario Regulation 248/03 has previously been amended. Those amendments are listed in the Table of Regulations - Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Ontario Regulation 248/03 is amended by adding the following sections:

Supervised chlorine residual and turbidity checks

3.1 Subsection 63 (1) of the Act does not apply to a person who conducts a test under subsection 7-5 (1.1) of Schedule 7, subsection 8-5 (1.1) of Schedule 8 or subsection 9-5 (1.1) of Schedule 9 to Ontario Regulation 170/03 (Drinking-Water Systems).

Non-municipal year-round residential systems exempt from treatment requirements

3.2 Subsection 63 (1) of the Act does not apply to a person who conducts a test required by Schedule 8 to Ontario Regulation 170/03 (Drinking-Water Systems) if, pursuant to section 8-6.1 of Schedule 8 to that regulation, the test may be conducted by any person.

25/06

ONTARIO REGULATION 251/06

made under the

ONTARIO EDUCATIONAL COMMUNICATIONS AUTHORITY ACT

Made: June 5, 2006

Filed: June 5, 2006

Published on e-Laws: June 6, 2006

Printed in *The Ontario Gazette*: June 24, 2006

Amending O. Reg. 392/02
(Distance Education Programs)

Note: Ontario Regulation 392/02 has not previously been amended.

1. Subsection 26 (3) of Ontario Regulation 392/02 is amended by adding “or entity” after “person”.

RÈGLEMENT DE L'ONTARIO 251/06

pris en application de la

LOI SUR L'OFFICE DE LA TÉLÉCOMMUNICATION ÉDUCATIVE DE L'ONTARIO

pris le 5 juin 2006

déposé le 5 juin 2006

publié sur le site Lois-en-ligne le 6 juin 2006

imprimé dans la *Gazette de l'Ontario* le 24 juin 2006

modifiant le Règl. de l'Ont. 392/02
(Programmes d'enseignement à distance)

Remarque : Le Règlement de l'Ontario 392/02 n'a pas été modifié antérieurement.

1. Le paragraphe 26 (3) du Règlement de l'Ontario 392/02 est modifié par insertion de «ou entité» après «personne».

Made by:

Pris par :

La ministre de l'Éducation,

SANDRA PUPATELLO
Minister of Education

Date made: June 5, 2006.

Pris le : 5 juin 2006.

25/06

ONTARIO REGULATION 252/06

made under the

PUBLIC SECTOR SALARY DISCLOSURE ACT, 1996

Made: June 7, 2006

Filed: June 8, 2006

Published on e-Laws: June 9, 2006

Printed in *The Ontario Gazette*: June 24, 2006**DEFINITION OF "FUNDING"****Exclusion from definition**

1. (1) For the purposes of the Act,

"funding" does not include money received from the Government of Ontario by a corporation, entity, person or organization of persons pursuant to the Youth Challenge Fund Administration Agreement described in subsection (2),

- (a) if the corporation, entity, person or organization of persons is the trustee of the money under the agreement,
- (b) if the corporation, entity, person or organization of persons holds the money in trust in accordance with the agreement, and
- (c) if the corporation, entity, person or organization of persons is not a beneficiary of the trust.

(2) The Youth Challenge Fund Administration Agreement is the agreement with that title, dated May 11, 2006, entered into by Her Majesty the Queen in Right of Ontario and certain other persons, a copy of which is available for inspection by the public on the website of the Ministry of Children and Youth Services at www.children.gov.on.ca.

25/06

ONTARIO REGULATION 253/06

made under the

ENVIRONMENTAL ASSESSMENT ACT

Made: May 17, 2006

Filed: June 9, 2006

Published on e-Laws: June 12, 2006

Printed in *The Ontario Gazette*: June 24, 2006**DESIGNATION AND EXEMPTION — PLASCO TRAIL ROAD INC.****Definitions**

1. In this Regulation,

"municipal waste" has the same meaning as in Regulation 347 of the Revised Regulations of Ontario, 1990 (General — Waste Management) made under the *Environmental Protection Act*;

"Nepean Landfill" means the site formerly used as a landfill site and commonly known as the Nepean Landfill that is located on Part Lot 9, Concession 4 Rideau Front in the former Township of Nepean;

"Plasco Trail Road Inc." includes any of its successors and assigns and any person related to Plasco Trail Road Inc. by ownership and any person who is a party to a contract with Plasco Trail Road Inc. respecting an undertaking described in section 2 or 3;

"Trail Road Landfill" means the landfill site commonly known as the Trail Road Landfill that is located on Part Lots 7, 8, 9, 10 and 11, Concession 4 Rideau Front in the former Township of Nepean.

Designation and exemption of demonstration project

2. (1) Any enterprise or activity by Plasco Trail Road Inc. of establishing or operating facilities as part of a demonstration project to process municipal waste at the Nepean Landfill, generate electricity at the Nepean Landfill using municipal waste as a fuel source or transmit that electricity from the Nepean Landfill is, if the criteria set out in subsection (3) are satisfied, defined as a major commercial or business enterprise or activity and designated as an undertaking to which the Act applies.

(2) For the purpose of this section, a project is a demonstration project if it is carried out primarily for one or more of the following purposes:

1. To assist in the design of technology for processing municipal waste or generating electricity using municipal waste as a fuel source.
2. To assess the merits of a technology for processing municipal waste or generating electricity using municipal waste as a fuel source.
3. To demonstrate the merits of a technology for processing municipal waste or generating electricity using municipal waste as a fuel source.

(3) The criteria referred to in subsection (1) are:

1. No other enterprise or activity has previously been designated as an undertaking under this section or section 3.
2. The demonstration project will not operate after the second anniversary of the first day that municipal waste is received as part of the demonstration project.
3. The demonstration project will not receive or process any waste other than,
 - i. municipal waste that is collected by or on behalf of the City of Ottawa and that would otherwise have been disposed of at the Trail Road Landfill,
 - ii. municipal waste that would otherwise have been disposed of within the boundaries of the City of Ottawa, other than at the Trail Road Landfill, and
 - iii. municipal waste that has been processed by Les Sols Calco Soils Inc. under provisional certificate of approval number 4130-5ZKH3W issued under section 39 of the *Environmental Protection Act* and that is not being recycled.
4. The demonstration project,
 - i. will not process more than 85 tonnes of municipal waste on any day, and
 - ii. will not process more than 10 tonnes of waste described in subparagraphs 3 ii and iii on any day.

(4) An undertaking designated under subsection (1) is exempt from Part II of the Act.

Designation of other enterprises and activities

3. Any enterprise or activity by Plasco Trail Road Inc. of establishing, expanding or operating facilities to process municipal waste at the Nepean Landfill, generate electricity at the Nepean Landfill using municipal waste as a fuel source or transmit that electricity from the Nepean Landfill, other than an undertaking designated under subsection 2 (1), is defined as a major commercial or business enterprise or activity and is designated as an undertaking to which the Act applies.

Exemption from certain regulations

4. The following provisions do not apply to an undertaking designated under section 2 or 3:
 1. Sections 3 and 4 of Ontario Regulation 116/01 (Electricity Projects) made under the Act.
 2. Section 11 of Regulation 334 of the Revised Regulations of Ontario, 1990 (General) made under the Act.

25/06

ONTARIO REGULATION 254/06

made under the

ENVIRONMENTAL PROTECTION ACT

Made: May 17, 2006

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PLASCO DEMONSTRATION PROJECT

Definitions

1. In this Regulation,

"municipal waste" has the same meaning as in Regulation 347 of the Revised Regulations of Ontario, 1990 (General — Waste Management) made under the Act;

"Nepean Landfill" means the site formerly used as a landfill site and commonly known as the Nepean Landfill that is located on Part Lot 9, Concession 4 Rideau Front in the former Township of Nepean;

"Plasco demonstration project" means the undertaking designated by subsection 2 (1) of Ontario Regulation 253/06 (Designation and Exemption — Plasco Trail Road Inc.) made under the *Environmental Assessment Act*;

"Plasco Trail Road Inc." includes any of its successors and assigns and any person related to Plasco Trail Road Inc. by ownership;

"professional engineer" has the same meaning as in the *Professional Engineers Act*;

"Trail Road Landfill" means the landfill site commonly known as the Trail Road Landfill that is located on Part Lots 7, 8, 9, 10 and 11, Concession 4 Rideau Front in the former Township of Nepean.

Exemption

2. Sections 30 and 32 of the Act do not apply to a waste disposal site or waste management system that forms part of the Plasco demonstration project.

Traffic and noise study

3. Plasco Trail Road Inc. shall, before municipal waste is first received as part of the Plasco demonstration project, prepare and give to the Director of the Ministry's Environmental Assessment and Approvals Branch and to the District Manager of the Ministry's Ottawa District Office a traffic and noise study that describes the anticipated impacts of the demonstration project on traffic and noise levels in the area surrounding the Nepean Landfill and sets out measures to minimize any undesirable impacts.

Spill prevention and spill contingency plans

4. (1) Plasco Trail Road Inc. shall develop and implement plans under section 91.1 of the Act in connection with the Plasco demonstration project.

(2) Plasco Trail Road Inc. shall give the plans referred to in subsection (1) to the Director of the Ministry's Environmental Assessment and Approvals Branch and to the District Manager of the Ministry's Ottawa District Office before municipal waste is first received as part of the Plasco demonstration project.

Notice of date waste first received

5. Plasco Trail Road Inc. shall give the Director of the Ministry's Environmental Assessment and Approvals Branch and the District Manager of the Ministry's Ottawa District Office notice in writing of the date that municipal waste is first received as part of the Plasco demonstration project, and the notice shall be given not later than 15 days after that date.

Final date for processing of waste

6. Plasco Trail Road Inc. shall ensure that no waste is received or processed as part of the Plasco demonstration project after the second anniversary of the date that municipal waste is first received as part of the demonstration project.

Types of waste

7. Plasco Trail Road Inc. shall ensure that no waste is received or processed as part of the Plasco demonstration project other than,

- (a) municipal waste that is collected by or on behalf of the City of Ottawa and that would otherwise have been disposed of at the Trail Road Landfill;
- (b) municipal waste that would otherwise have been disposed of within the boundaries of the City of Ottawa, other than at the Trail Road Landfill; and
- (c) municipal waste that has been processed by Les Sols Calco Soils Inc. under provisional certificate of approval number 4130-5ZKH3W issued under section 39 of the Act and that is not being recycled.

Amount of waste

8. Plasco Trail Road Inc. shall ensure that,

- (a) not more than 85 tonnes of municipal waste are processed on any day as part of the Plasco demonstration project; and
- (b) not more than 10 tonnes of waste described in clauses 7 (b) and (c) are processed on any day as part of the Plasco demonstration project.

Times for receiving or transferring waste

9. Plasco Trail Road Inc. shall ensure that waste is received at or transferred from the Nepean Landfill as part of the Plasco demonstration project only during the following times:

1. On Mondays, Tuesdays, Thursdays and Fridays from 7:00 a.m. until 6:00 p.m.
2. On Wednesdays from 7:00 a.m. until 9:00 p.m. from April 15 to December 15.
3. On Wednesdays from 7:00 a.m. until 6:00 p.m. from December 16 to April 14.
4. On Saturdays from 8:00 a.m. until 4:00 p.m.

Continuous monitoring

10. Plasco Trail Road Inc. shall ensure that a continuous emission monitoring system is installed as part of the Plasco demonstration project and that all discharges from the demonstration project into the air are continuously monitored to determine the concentrations of the following contaminants:

1. Nitrogen oxides.
2. Hydrochloric acid.
3. Sulphur dioxide.
4. Organic matter.

Stack testing

11. Plasco Trail Road Inc. shall ensure that stack tests are conducted on discharges from the Plasco demonstration project into the air to determine the concentrations of the following contaminants:

1. Particulate matter.
2. Mercury.
3. Cadmium.
4. Lead.
5. Dioxins and furans.

Maximum emission limits

12. Plasco Trail Road Inc. shall ensure that the concentration of a contaminant listed in Schedule 1 in a discharge from the Plasco demonstration project into the air does not exceed the maximum limit set out for that contaminant in that Schedule.

Cessation of discharges

13. (1) Plasco Trail Road Inc. shall ensure that the steps set out in subsection (2) are taken if,

- (a) the concentration of nitrogen oxides in a discharge from the Plasco demonstration project into the air exceeds the maximum limit set out for nitrogen oxides in Schedule 1 for more than one hour;
- (b) the concentration of mercury, cadmium or lead in a discharge from the Plasco demonstration project into the air exceeds the maximum limit set out for that contaminant in Schedule 1;
- (c) the concentration of hydrochloric acid, sulphur dioxide or organic matter in a discharge from the Plasco demonstration project into the air exceeds the operational limit set out for that contaminant in Schedule 2 for more than one hour;
- (d) the concentration of particulate matter in a discharge from the Plasco demonstration project into the air exceeds the operational limit set out for that contaminant in Schedule 2; or
- (e) the concentration of dioxins and furans in a discharge from the Plasco demonstration project into the air exceeds the operational limit set out for that contaminant in Schedule 2.

(2) The steps referred to in subsection (1) are:

1. Immediately stop all discharges from the Plasco demonstration project into the air.
2. Immediately give the District Manager of the Ministry's Ottawa District Office or a person designated by the District Manager oral or written notice that the limit has been exceeded.
3. Immediately begin an investigation to determine the cause of the limit being exceeded.
4. Within 24 hours after the obligation to ensure that the steps set out in this subsection are taken begins to apply, give to the District Manager of the Ministry's Ottawa District Office notice in writing that the limit has been exceeded, if written notice was not given under paragraph 2.
5. Prepare a report on the cause of the limit being exceeded that contains the following:
 - i. The date and time that the limit was exceeded.

- ii. The date and time that Plasco Trail Road Inc. became aware that the limit had been exceeded.
 - iii. The contaminant for which the limit was exceeded and the concentration of the contaminant that exceeded the limit.
 - iv. Detailed results of the investigation referred to in paragraph 3.
 - v. A list of corrective actions to be taken to prevent the limit from being exceeded in the future, and a schedule for taking those actions.
6. Give the report prepared under paragraph 5 to a professional engineer who is not an employee of Plasco Trail Road Inc. for peer review and arrange for the professional engineer to prepare a peer review report.
 7. Review the peer review report prepared under paragraph 5 and, if appropriate, prepare a revised report on the cause of the limit being exceeded that contains the matters listed in paragraph 5.
 8. Give the District Manager of the Ministry's Ottawa District Office the reports prepared under paragraphs 5 and 6 and, if a revised report is prepared under paragraph 7, the revised report.
- (3) If subsection (1) applies, Plasco Trail Road Inc. shall, subject to any certificates of approval or provisional certificates of approval that apply to the Plasco demonstration project, ensure that,
- (a) discharges from the demonstration project into the air do not resume until,
 - (i) all the corrective actions listed in the revised report prepared under paragraph 7 of subsection (2) have been taken or, if no revised report was prepared under that paragraph, all the corrective actions listed in the report prepared under paragraph 5 of subsection (2) have been taken, and
 - (ii) a schedule for stack testing has been given to the District Manager of the Ministry's Ottawa District Office for the contaminant for which the limit was exceeded, if that contaminant is listed in section 11; and
 - (b) within 24 hours after discharges from the demonstration project into the air resume, stack testing is initiated for the contaminant for which the limit was exceeded, if that contaminant is listed in section 11.

Public meetings

14. (1) Plasco Trail Road Inc. shall give notice of and hold public meetings to discuss the Plasco demonstration project, including,

- (a) at least one meeting that is held before municipal waste is first received as part of the demonstration project;
 - (b) at least one meeting that is held not earlier than three months and not later than six months after municipal waste is first received as part of the demonstration project;
 - (c) at least one meeting that is held not earlier than nine months and not later than 12 months after municipal waste is first received as part of the demonstration project; and
 - (d) at least one meeting that is held in the month following the day municipal waste is last processed as part of the demonstration project.
- (2) No meeting is required under clause (1) (b) or (c) if a meeting has been held under clause (1) (d).

(3) Plasco Trail Road Inc. shall give the Director of the Ministry's Environmental Assessment and Approvals Branch and the District Manager of the Ministry's Ottawa District Office notice in writing of the time, date and location of each public meeting held under subsection (1), at least 15 days before the meeting.

Public comments and complaints

15. (1) Plasco Trail Road Inc. shall, during the period that the Plasco demonstration project is carried out, maintain a system for receiving complaints and comments from the public about the demonstration project, including a system for receiving those complaints and comments during and outside of normal business hours.

(2) Plasco Trail Road Inc. shall make records of the complaints and comments received from the public about the Plasco demonstration project, including records of actions taken in response to the complaints and comments and records of the results of those actions.

Public information

16. Plasco Trail Road Inc. shall, during the period that the Plasco demonstration project is carried out, provide information about the demonstration project to the public through a website on the Internet and by other means, including,

- (a) information on activities that are part of the undertaking, including monitoring activities;
- (b) information on all documents related to the demonstration project that it is required to give to the Director of the Ministry's Environmental Assessment and Approvals Branch or to the District Manager of the Ministry's Ottawa

District Office under this Regulation or under any certificates of approval or provisional certificates of approval that apply to the demonstration project, including information on how to obtain copies of the documents; and

- (c) information on the system referred to in section 15 for receiving complaints and comments.

Monthly engineer's reports

17. (1) Plasco Trail Road Inc. shall ensure that, at least once in every calendar month during the period that the Plasco demonstration project is carried out, a professional engineer who is not an employee of Plasco Trail Road Inc.,

- (a) inspects every part of the Nepean Landfill that is used in connection with the demonstration project;
- (b) thoroughly reviews all documents related to the demonstration project that are required by this Regulation or by any certificates of approval or provisional certificates of approval that apply to the demonstration project; and
- (c) gives Plasco Trail Road Inc. a written report, signed by the professional engineer, that includes a summary of the results of the inspection under clause (a) and the review under clause (b) and, subject to subsection (3), certifies that Plasco Trail Road Inc. has substantially complied with this Regulation and with any certificates of approval or provisional certificates of approval that apply to the demonstration project.

(2) Within three business days after receiving a report under clause (1) (c), Plasco Trail Road Inc. shall give a copy of the report to the District Manager of the Ministry's Ottawa District Office.

(3) If a professional engineer who conducts an inspection or review under subsection (1) is of the opinion that Plasco Trail Road Inc. may not have substantially complied with this Regulation or with any certificates of approval or provisional certificates of approval that apply to the Plasco demonstration project, the professional engineer shall immediately give notice in writing to Plasco Trail Road Inc.

Immediate report of non-compliance

18. Plasco Trail Road Inc. shall immediately give the District Manager of the Ministry's Ottawa District Office notice in writing if, under subsection 17 (3) or otherwise, it becomes aware of any circumstance indicating that it may not have substantially complied with this Regulation or with any certificates of approval or provisional certificates of approval that apply to the Plasco demonstration project.

Compliance reports

19. (1) Plasco Trail Road Inc. shall, for each six-month period following the date that municipal waste is first received as part of the Plasco demonstration project, prepare a report describing how it complied during that period with this Regulation and with any certificates of approval or provisional certificates of approval that apply to the demonstration project.

(2) Subsection (1) does not apply to a six-month period that includes the day municipal waste is last processed as part of the Plasco demonstration project, or to any subsequent six-month period.

(3) Plasco Trail Road Inc. shall, for the period that begins on the day after the end of the last six-month period to which subsection (1) applies and that ends on the day municipal waste is last processed as part of the Plasco demonstration project, prepare a report describing how it complied during that period with this Regulation and with any certificates of approval or provisional certificates of approval that apply to the demonstration project.

(4) Plasco Trail Road Inc. shall give each report prepared under subsection (1) or (3) to the Director of the Ministry's Environmental Assessment and Approvals Branch and to the District Manager of the Ministry's Ottawa District Office not later than two months after the end of the period to which the report applies.

Final assessment report

20. Not later than three months after municipal waste is last processed as part of the Plasco demonstration project, Plasco Trail Road Inc. shall prepare and give to the Director of the Ministry's Environmental Assessment and Approvals Branch and to the District Manager of the Ministry's Ottawa District Office a report that,

- (a) summarizes the operation of the demonstration project;
- (b) summarizes how Plasco Trail Road Inc. complied during the demonstration project with this Regulation and with any certificates of approval or provisional certificates of approval that apply to the demonstration project; and
- (c) evaluates the ability of the demonstration project to process municipal waste and generate electricity using municipal waste as a fuel source.

Documents to be kept

21. (1) During the period that the Plasco demonstration project is carried out, Plasco Trail Road Inc. shall keep, at the Nepean Landfill or at another location approved by the Director of the Ministry's Environmental Assessment and Approvals Branch, copies of all documents related to the demonstration project that it is required to give to the Director of the Ministry's Environmental Assessment and Approvals Branch or to the District Manager of the Ministry's Ottawa District

Office under this Regulation or under any certificates of approval or provisional certificates of approval that apply to the demonstration project.

(2) Plasco Trail Road Inc. shall make the copies referred to in subsection (1) available on request to employees of the Ministry.

Determination of contaminant concentrations

22. For the purpose of this Regulation, the concentration of a contaminant listed in Schedule 1 or 2 shall be determined in accordance with the "Comments" column of that Schedule.

SCHEDULE 1 MAXIMUM LIMITS

| Item | Contaminant | Maximum limit | Comments |
|------|--------------------|------------------------|--|
| 1. | Nitrogen oxides | 110 ppmv | Calculated as the arithmetic average of 24 hours of data from a continuous emission monitoring system |
| 2. | Hydrochloric acid | 18 ppmv | Calculated as the arithmetic average of 24 hours of data from a continuous emission monitoring system |
| 3. | Sulphur dioxide | 21 ppmv | Calculated as the geometric average of 24 hours of data from a continuous emission monitoring system |
| 4. | Organic matter | 100 ppmv | Calculated as a 10 minute average at the outlet before dilution with any other gaseous stream, measured by a continuous emission monitoring system and expressed as equivalent methane |
| 5. | Particulate matter | 17 mg/Rm ³ | Calculated as the arithmetic average of three stack tests conducted in accordance with standard methods |
| 6. | Mercury | 20 µg/Rm ³ | Calculated as the arithmetic average of three stack tests conducted in accordance with standard methods |
| 7. | Cadmium | 14 µg/Rm ³ | Calculated as the arithmetic average of three stack tests conducted in accordance with standard methods |
| 8. | Lead | 142 µg/Rm ³ | Calculated as the arithmetic average of three stack tests conducted in accordance with standard methods |
| 9. | Dioxins and furans | 80 pg/Rm ³ | Calculated as the arithmetic average of three stack tests conducted in accordance with standard methods, and expressed as picograms per reference cubic metre, at 25°C and 101.3 kilopascals pressure, of toxicity equivalent to 2,3,7,8 tetrachlorodibenzo-p-dioxin (calculated using the international toxicity equivalence factors set out in Schedule 3), corrected to 11 per cent oxygen and zero per cent moisture (dry) |

SCHEDULE 2 OPERATIONAL LIMITS

| Item | Contaminant | Operational limit | Comments |
|------|--------------------|-----------------------|--|
| 1. | Hydrochloric acid | 13 ppmv | Calculated as the arithmetic average of 24 hours of data from a continuous emission monitoring system |
| 2. | Sulphur dioxide | 14 ppmv | Calculated as the geometric average of 24 hours of data from a continuous emission monitoring system |
| 3. | Organic matter | 75 ppmv | Calculated as a 10 minute average at the outlet before dilution with any other gaseous stream, measured by a continuous emission monitoring system and expressed as equivalent methane |
| 4. | Particulate matter | 12 mg/Rm ³ | Calculated as the arithmetic average of three stack tests conducted in accordance with standard methods |
| 5. | Dioxins and furans | 40 pg/Rm ³ | Calculated as the arithmetic average of three stack tests conducted in accordance with standard methods, and expressed as picograms per reference cubic metre, at 25°C and 101.3 kilopascals pressure, of toxicity equivalent to 2,3,7,8 tetrachlorodibenzo-p-dioxin (calculated using the international toxicity equivalence factors set out in Schedule 3), corrected to 11 per cent oxygen and zero per cent moisture (dry) |

SCHEDULE 3 INTERNATIONAL TOXICITY EQUIVALENCE FACTORS

| Item | Dioxin or Furan Isomer of Concern | International Toxicity Equivalence Factor (I-TEF) |
|------|--|---|
| 1. | 2,3,7,8-Tetrachlorodibenzo-p-dioxin | 1 |
| 2. | 1,2,3,7,8-Pentachlorodibenzo-p-dioxin | 0.5 |
| 3. | 1,2,3,4,7,8-Hexachlorodibenzo-p-dioxin | 0.1 |
| 4. | 1,2,3,6,7,8-Hexachlorodibenzo-p-dioxin | 0.1 |
| 5. | 1,2,3,7,8,9-Hexachlorodibenzo-p-dioxin | 0.1 |

| Item | Dioxin or Furan Isomer of Concern | International Toxicity Equivalence Factor (I-TEF) |
|------|--|---|
| 6. | 1,2,3,4,6,7,8-Heptachlorodibenzo-p-dioxin | 0.01 |
| 7. | 1,2,3,4,6,7,8,9-Octachlorodibenzo-p-dioxin | 0.001 |
| 8. | 2,3,7,8-Tetrachlorodibenzofuran | 0.1 |
| 9. | 2,3,4,7,8-Pentachlorodibenzofuran | 0.5 |
| 10. | 1,2,3,7,8-Pentachlorodibenzofuran | 0.05 |
| 11. | 1,2,3,4,7,8-Hexachlorodibenzofuran | 0.1 |
| 12. | 1,2,3,6,7,8-Hexachlorodibenzofuran | 0.1 |
| 13. | 1,2,3,7,8,9-Hexachlorodibenzofuran | 0.1 |
| 14. | 2,3,4,6,7,8-Hexachlorodibenzofuran | 0.1 |
| 15. | 1,2,3,4,6,7,8-Heptachlorodibenzofuran | 0.01 |
| 16. | 1,2,3,4,7,8,9-Heptachlorodibenzofuran | 0.01 |
| 17. | 1,2,3,4,6,7,8,9-Octachlorodibenzofuran | 0.001 |

25/06

ONTARIO REGULATION 255/06

made under the

WASTE DIVERSION ACT, 2002

Approved: May 29, 2006

Made: June 8, 2006

Filed: June 9, 2006

Published on e-Laws: June 12, 2006

Printed in *The Ontario Gazette*: June 24, 2006

Amending O. Reg. 273/02
(Blue Box Waste)

Note: Ontario Regulation 273/02 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Subsections 2 (3) and (4) of Ontario Regulation 273/02 are revoked and the following substituted:

(3) The board of directors shall be composed of the chief executive officer of Stewardship Ontario and 14 individuals elected or appointed as members of the board in accordance with this section.

(4) An election shall be conducted for the purpose of this section at the 2006 annual meeting of Stewardship Ontario and at every annual meeting thereafter.

(5) The election conducted under subsection (4) at the 2006 annual meeting shall elect 14 members of the board of directors.

(6) An individual elected as a member of the board of directors at the 2006 annual meeting shall hold office,

(a) until the election held at the 2007 annual meeting, if the individual held office as a member of the board immediately before this subsection came into force; or

(b) until the election held at the 2008 annual meeting, if the individual did not hold office as a member of the board immediately before this subsection came into force.

(7) An election conducted under subsection (4) at the annual meeting in an odd-numbered year after 2006 shall elect as members of the board of directors a number of individuals equal to the number of individuals who were elected as members of the board of directors at the 2006 annual meeting and who held office as members of the board immediately before subsection (6) came into force.

(8) An election conducted under subsection (4) at the annual meeting in an even-numbered year after 2006 shall elect as members of the board of directors a number of individuals equal to the number of individuals who were elected as members of the board of directors at the 2006 annual meeting and who did not hold office as members of the board immediately before subsection (6) came into force.

(9) An individual elected as a member of the board of directors at the annual meeting in a year after 2006 shall hold office until the election held at the second annual meeting thereafter.

(10) An individual is entitled to be a candidate in an election conducted under this section if he or she,

(a) is a resident of Ontario;

(b) is at least 18 years of age; and

(c) is nominated as a candidate by,

(i) a person who is designated as a steward by the rules made by Stewardship Ontario under section 30 of the Act and who is not in default of payment of fees payable to Stewardship Ontario under section 31 of the Act, or

(ii) the board of directors.

(11) Despite subsection (10), an individual is not entitled to be a candidate if he or she is a bankrupt or has been found by a court to be mentally incapable of managing property.

(12) The following persons are entitled to vote in an election conducted under this section:

1. Every person who is designated as a steward by the rules made by Stewardship Ontario under section 30 of the Act and who is not in default of payment of fees payable to Stewardship Ontario under section 31 of the Act.

2. Every person who is not designated as a steward by the rules made by Stewardship Ontario under section 30 of the Act but has paid fees to Stewardship Ontario under its by-laws.

(13) Each person who is entitled to vote in an election conducted under this section is entitled to cast a number of votes equal to the dollar amount of fees referred to under paragraph 1 or 2 of subsection (12) that the person paid to Stewardship Ontario in the most recently completed fiscal year, rounded to the nearest dollar.

(14) An individual elected as a member of the board of directors at an election conducted under subsection (4) whose term of office expires under subsection (6) or (9) is entitled, subject to subsections (10) and (11), to be a candidate in a subsequent election.

(15) An individual elected as a member of the board of directors at an election conducted under subsection (4) may resign his or her office by delivering a written letter of resignation to the secretary of Stewardship Ontario.

(16) An individual elected as a member of the board of directors at an election conducted under subsection (4) ceases to hold office if he or she becomes a bankrupt or is found by a court to be mentally incapable of managing property.

(17) An individual elected as a member of the board of directors at an election conducted under subsection (4) may be removed from office by a resolution passed by at least two-thirds of the votes cast at a meeting at which every person referred to in subsection (12) is entitled to cast a number of votes equal to the dollar amount of fees referred to under paragraph 1 or 2 of that subsection that the person paid to Stewardship Ontario in the most recently completed fiscal year, rounded to the nearest dollar.

(18) If, pursuant to subsection (17), a vacancy occurs among the members of the board of directors, the vacancy may be filled by electing an individual at an election conducted in accordance with subsections (10) to (13).

(19) If a vacancy occurs among the members of the board of directors elected at an election conducted under subsection (4) and subsection (18) does not apply, the board may appoint, as a member of the board to fill the vacancy, any individual who would be entitled to be a candidate at an election conducted under subsection (4) if nominated in accordance with clause (10) (c).

(20) An individual who becomes a member of the board of directors under subsection (18) or (19) shall hold office until the election at which the term of office of the member he or she replaced would have expired under subsection (6) or (9).

(21) Subsections (13) to (20) and this subsection apply, with necessary modifications, to an individual who fills a vacancy under subsection (18) or (19).

(22) Each member of the board of directors, other than the chief executive officer of Stewardship Ontario, may appoint an alternate who, in his or her absence, may participate in board meetings and vote on matters before the board.

(23) Despite subsection (3),

(a) the members of the board of directors who hold office immediately before this subsection comes into force, other than the chief executive officer of Stewardship Ontario, continue to hold office, subject to the other provisions of this section, until the first election is conducted under subsection (4); and

(b) the person who holds office as the chief executive officer of Stewardship Ontario immediately before this subsection comes into force, continues to hold office as a member of the board of directors as long as he or she holds the office of chief executive officer.

Approved by:

STEWARDSHIP ONTARIO:

DENNIS A. DARBY
Chair, Board of Directors

DAMIAN L. BASSET
Chief Executive Officer

Date of approval: May 29, 2006.

Made by:

LAUREL C. BROTEN
Minister of the Environment

Date made: June 8, 2006.

25/06

ONTARIO REGULATION 256/06

made under the

FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT

Made: June 7, 2006,
Filed: June 9, 2006
Published on e-Laws: June 12, 2006
Printed in *The Ontario Gazette*: June 24, 2006

Amending Reg. 460 of R.R.O. 1990
(General)

Note: Regulation 460 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. (1) Item 1 of the Schedule to Regulation 460 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

| | | |
|----|---|---|
| 1. | Accessibility Advisory Council of Ontario | Minister of Community and Social Services |
|----|---|---|

(2) The Schedule to the Regulation is amended by adding the following items:

| | | |
|------|---------------------------|----------------|
| 9.1 | Algoma University College | Executive Head |
| | | |
| 15.1 | Brock University | Executive Head |
| | | |
| 17.1 | Carleton University | Executive Head |
| | | |

| | | |
|------|-------------------------------------|----------------|
| 23. | Collège universitaire de Hearst | Executive Head |
| 60. | Lakehead University | Executive Head |
| 61.1 | Laurentian University of Sudbury | Executive Head |
| 66.2 | McMaster University | Executive Head |
| 72.1 | Nipissing University | Executive Head |
| 76.1 | Northern Ontario School of Medicine | Executive Head |
| 84. | Ontario College of Art and Design | Executive Head |

(3) Item 87 of the Schedule to the Regulation is revoked.

(4) Item 96 of the Schedule to the Regulation is revoked and the following substituted:

| | | |
|-----|------------------------|---------------------|
| 96. | Ontario Heritage Trust | Minister of Culture |
|-----|------------------------|---------------------|

(5) Item 113 of the Schedule to the Regulation is revoked and the following substituted:

| | | |
|------|---------------------------|---------------------|
| 113. | Ontario Place Corporation | Minister of Tourism |
|------|---------------------------|---------------------|

(6) Item 125 of the Schedule to the Regulation is revoked and the following substituted:

| | | |
|------|---|---------------------|
| 125. | Ontario Tourism Marketing Partnership Corporation | Minister of Tourism |
|------|---|---------------------|

(7) Item 136 of the Schedule to the Regulation is revoked and the following substituted:

| | | |
|------|--|--|
| 136. | Province of Ontario Medal for Firefighters' Bravery Advisory Council | Minister of Community Safety and Correctional Services |
|------|--|--|

(8) Item 138 of the Schedule to the Regulation is revoked and the following substituted:

| | | |
|------|---|--|
| 138. | Province of Ontario Medal for Police Bravery Advisory Council | Minister of Community Safety and Correctional Services |
|------|---|--|

(9) The Schedule to the Regulation is amended by adding the following items:

| | | |
|-------|--------------------|----------------|
| 143.1 | Queen's University | Executive Head |
| 146.1 | Ryerson University | Executive Head |

(10) Item 147 of the Schedule to the Regulation is revoked and the following substituted:

| | | |
|------|-------------------------------|---------------------|
| 147. | St. Lawrence Parks Commission | Minister of Tourism |
|------|-------------------------------|---------------------|

(11) Item 153 of the Schedule to the Regulation is revoked and the following substituted:

| | | |
|------|---------------------------------------|--------------------------|
| 153. | The Order of Ontario Advisory Council | Chief Justice of Ontario |
|------|---------------------------------------|--------------------------|

(12) The Schedule to the Regulation is amended by adding the following items:

| | | |
|---------|---|----------------|
| 153.1 | Trent University | Executive Head |
| 154.0.1 | University of Guelph | Executive Head |
| 154.0.2 | University of Ontario Institute of Technology | Executive Head |
| 154.0.3 | University of Ottawa | Executive Head |
| 154.0.4 | University of Toronto | Executive Head |

| | | |
|-----------|-----------------------------------|----------------|
| 154.0.5 | University of Waterloo | Executive Head |
| 154.0.6 | The University of Western Ontario | Executive Head |
| 154.0.7 | University of Windsor | Executive Head |
| | | |
| 154.2 | Wilfrid Laurier University | Executive Head |
| | | |
| 157. | York University | Executive Head |

2. (1) Subject to subsection (2), this Regulation comes into force on the day it is filed.

(2) Subsections 1 (2), (9) and (12) come into force on June 10, 2006.

RÈGLEMENT DE L'ONTARIO 256/06

pris en application de la

LOI SUR L'ACCÈS À L'INFORMATION ET LA PROTECTION DE LA VIE PRIVÉE

pris le 7 juin 2006
déposé le 9 juin 2006
publié sur le site Lois-en-ligne le 12 juin 2006
imprimé dans la *Gazette de l'Ontario* le 24 juin 2006

modifiant le Règl. 460 des R.R.O. de 1990
(Dispositions générales)

Remarque : Le Règlement 460 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des règlements qui se trouve sur le site www.lois-en-ligne.gouv.on.ca.

1. (1) Le numéro 1 de l'annexe du Règlement 460 des Règlements refondus de l'Ontario de 1990 est abrogé et remplacé par ce qui suit :

| | | |
|----|---|---|
| 1. | Conseil consultatif de l'accessibilité pour l'Ontario | Ministre des Services sociaux et communautaires |
|----|---|---|

(2) L'annexe du Règlement est modifiée par adjonction des numéros suivants :

| | | |
|-----------|--|-----------|
| 9.1 | Algoma University College | Dirigeant |
| | | |
| 15.1 | Brock University | Dirigeant |
| | | |
| 17.1 | Carleton University | Dirigeant |
| | | |
| 23. | Collège universitaire de Hearst | Dirigeant |
| | | |
| 60. | Lakehead University | Dirigeant |
| | | |
| 61.1 | Université Laurentienne de Sudbury | Dirigeant |
| | | |
| 66.2 | McMaster University | Dirigeant |
| | | |
| 72.1 | Nipissing University | Dirigeant |
| | | |
| 76.1 | École de médecine du Nord de l'Ontario | Dirigeant |
| | | |
| 84. | École d'art et de design de l'Ontario | Dirigeant |

(3) Le numéro 87 de l'annexe du Règlement est abrogé.

(4) Le numéro 96 de l'annexe du Règlement est abrogé et remplacé par ce qui suit :

| | | |
|-----|--------------------------------|------------------------|
| 96. | Fiducie du patrimoine ontarien | Ministre de la Culture |
|-----|--------------------------------|------------------------|

(5) Le numéro 113 de l'annexe du Règlement est abrogé et remplacé par ce qui suit :

| | | |
|------|---|----------------------|
| 113. | Société d'exploitation de la Place de l'Ontario | Ministre du Tourisme |
|------|---|----------------------|

(6) Le numéro 125 de l'annexe du Règlement est abrogé et remplacé par ce qui suit :

| | | |
|------|--|----------------------|
| 125. | Société du Partenariat ontarien de marketing touristique | Ministre du Tourisme |
|------|--|----------------------|

(7) Le numéro 136 de l'annexe du Règlement est abrogé et remplacé par ce qui suit :

| | | |
|------|---|--|
| 136. | Conseil consultatif de la médaille de bravoure des pompiers de la province de l'Ontario | Ministre de la Sécurité communautaire et des Services correctionnels |
|------|---|--|

(8) Le numéro 138 de l'annexe du Règlement est abrogé et remplacé par ce qui suit :

| | | |
|------|--|--|
| 138. | Conseil consultatif de la médaille de bravoure des policiers de la province de l'Ontario | Ministre de la Sécurité communautaire et des Services correctionnels |
|------|--|--|

(9) L'annexe du Règlement est modifiée par adjonction des numéros suivants :

| | | |
|-----------|--------------------|-----------|
| 143.1 | Queen's University | Dirigeant |
| | | |
| 146.1 | Université Ryerson | Dirigeant |

(10) Le numéro 147 de l'annexe du Règlement est abrogé et remplacé par ce qui suit :

| | | |
|------|---------------------------------------|----------------------|
| 147. | Commission des parcs du Saint-Laurent | Ministre du Tourisme |
|------|---------------------------------------|----------------------|

(11) Le numéro 153 de l'annexe du Règlement est abrogé et remplacé par ce qui suit :

| | | |
|------|---|---------------------------|
| 153. | Conseil consultatif de l'Ordre de l'Ontario | Juge en chef de l'Ontario |
|------|---|---------------------------|

(12) L'annexe du Règlement est modifiée par adjonction des numéros suivants :

| | | |
|-----------|--|-----------|
| 153.1 | Trent University | Dirigeant |
| | | |
| 154.0.1 | University of Guelph | Dirigeant |
| 154.0.2 | Institut universitaire de technologie de l'Ontario | Dirigeant |
| 154.0.3 | Université d'Ottawa | Dirigeant |
| 154.0.4 | Université de Toronto | Dirigeant |
| 154.0.5 | University of Waterloo | Dirigeant |
| 154.0.6 | The University of Western Ontario | Dirigeant |
| 154.0.7 | University of Windsor | Dirigeant |
| | | |
| 154.2 | Wilfrid Laurier University | Dirigeant |
| | | |
| 157. | Université York | Dirigeant |

2. (1) Sous réserve du paragraphe (2), le présent règlement entre en vigueur le jour de son dépôt.

(2) Les paragraphes 1 (2), (9) et (12) entrent en vigueur le 10 juin 2006.

ONTARIO REGULATION 257/06
made under the
CROWN FOREST SUSTAINABILITY ACT, 1994

Made: June 7, 2006
Filed: June 9, 2006
Published on e-Laws: June 12, 2006
Printed in *The Ontario Gazette*: June 24, 2006

Amending O. Reg. 167/95
(General)

Note: Ontario Regulation 167/95 has previously been amended. Those amendments are listed in the Table of Regulations ... Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Section 6 of Ontario Regulation 167/95 is revoked and the following substituted:

6. (1) Interest is payable on payments of Crown charges that are overdue using the rate of interest determined in accordance with the following rules:

1. A base rate of interest shall be determined for January 1, 2006 and for each adjustment date after January 1, 2006 and shall be equal to the average prime rate on,
 - i. October 15 of the previous year, if the adjustment date is January 1,
 - ii. January 15 of the same year, if the adjustment date is April 1,
 - iii. April 15 of the same year, if the adjustment date is July 1, and
 - iv. July 15 of the same year, if the adjustment date is October 1.
2. The base rate of interest in effect on a particular date shall be,
 - i. the base rate for the particular date, if the particular date is an adjustment date, and
 - ii. the base rate for the last adjustment date before the particular date, otherwise.
3. The rate of interest payable by a person under this section in respect of a particular day shall be an annual interest rate that is three percentage points higher than the base rate of interest in effect on that day.

(2) In subsection (1),

“adjustment date” means January 1, April 1, July 1 or October 1;

“average prime rate”, on a particular date, means the mean, rounded to the nearest whole percentage point, of the annual rates of interest announced by each of The Royal Bank of Canada, The Bank of Nova Scotia, the Canadian Imperial Bank of Commerce, the Bank of Montreal and The Toronto-Dominion Bank to be its prime or reference rate of interest in effect on that date for determining interest rates on Canadian dollar commercial loans by that bank in Canada.

ONTARIO REGULATION 258/06

made under the

FAMILY RESPONSIBILITY AND SUPPORT ARREARS ENFORCEMENT ACT, 1996

Made: June 7, 2006

Filed: June 9, 2006

Published on e-Laws: June 13, 2006

Printed in *The Ontario Gazette*: June 24, 2006Amending O. Reg. 167/97
(General)

Note: Ontario Regulation 167/97 has previously been amended. Those amendments are listed in the Table of Regulations - Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Sections 1, 1.1, 2, 3, 4, 5 and 6 of Ontario Regulation 167/97 are revoked and the following substituted:**DEFINITIONS**

1. In this Regulation,

“appropriate authority” has the same meaning as in the *Interjurisdictional Support Orders Act, 2002*; (“autorité compétente”)“reciprocating jurisdiction” has the same meaning as in the *Interjurisdictional Support Orders Act, 2002*. (“autorité pratiquant la réciprocité”)**TERMINATION OF SUPPORT OBLIGATION**

2. (1) For the purposes of subsection 8 (3) of the Act (notice of death), notice of the payor's death shall be given in writing and shall be accompanied by a copy of the death certificate, a funeral notice, a copy of the certificate of appointment of estate trustee, a letter from the solicitor for the payor's estate or any other supporting documentation providing satisfactory proof of the payor's death.

(2) The notice and supporting documentation must be sufficient to identify the deceased person as the payor.

(3) Despite subsection (1), the supporting documentation need not be provided if the notice of the payor's death satisfies the requirements of subsection (2) and is given to the Director by,

- (a) a ministry, agency, board or commission of the Government of Ontario;
- (b) the Government of Canada, a Crown corporation, the government of another province or territory or an agency, board or commission of such a government; or
- (c) an appropriate authority in a reciprocating jurisdiction.

3. For the purposes of clause 8 (4) (a) of the Act (agreement re termination), the matters agreed upon by the recipient and the payor shall be set out in writing,

- (a) in a single document signed by both of them; or
- (b) in separate documents, one signed by the recipient and the other signed by the payor.

4. (1) For the purposes of subsection 8 (5) of the Act (notice of termination), notice that a support obligation under a support order or support deduction order has terminated shall be in writing and shall contain the following information:

- 1. The case number assigned to the support order by the Director's office.
- 2. The payor's full name.
- 3. The recipient's full name.
- 4. The address and telephone numbers of the party submitting the notice.
- 5. If applicable, the fax number, e-mail address and work address of the party submitting the notice.
- 6. The address and telephone numbers of the other party, if known.
- 7. Information sufficient to identify the specific support obligation that has terminated, including the date of the support order and the name of the dependant to which the support obligation relates.
- 8. The reason for the termination.
- 9. The date of the termination.

(2) The notice shall be given as soon as possible after the support obligation has terminated and may be given before the support obligation has terminated.

5. (1) Subject to subsection (2), the Director shall notify the recipient if the Director receives notice under subsection 8 (5) of the Act from a payor that a support obligation has terminated, and shall request that the recipient confirm or deny that the support obligation has terminated.

(2) Subsection (1) does not apply if the support obligation terminates on a set calendar date specified in the support order.

(3) A recipient shall respond in writing to a request from the Director to confirm or deny that a support obligation has terminated.

(4) If the recipient confirms part, but not all, of the payor's notice of termination, the parties are considered to have agreed that the support obligation has terminated to the extent of the confirmation.

(5) If the recipient denies all or part of the payor's notice of termination, the Director shall notify the payor of the denial.

(6) The Director is not required to notify the payor on receiving notice under subsection 8 (5) of the Act from a recipient that a support obligation has terminated.

6. The Director shall notify the parties to a support order or support deduction order if he or she decides to,

(a) discontinue enforcement of the support order under subsection 8.1 (1) of the Act;

(b) resume enforcement of the support order under subsection 8.1 (2) of the Act; or

(c) enforce a lesser amount of support under subsection 8.2 (1) of the Act.

6.1 If a payor's or recipient's most recent address as it is shown in the records in the Director's office is in a reciprocating jurisdiction, the Director may send the notice referred to in subsection 5 (1) or section 6 to the appropriate authority in the reciprocating jurisdiction.

2. This Regulation comes into force on the later of the day section 3 of the *Family Responsibility and Support Arrears Enforcement Amendment Act, 2005* comes into force and the day this Regulation is filed.

RÈGLEMENT DE L'ONTARIO 258/06

pris en application de la

LOI DE 1996 SUR LES OBLIGATIONS FAMILIALES ET L'EXÉCUTION DES ARRIÉRÉS D'ALIMENTS

pris le 7 juin 2006

déposé le 9 juin 2006

publié sur le site Lois-en-ligne le 13 juin 2006

imprimé dans la *Gazette de l'Ontario* le 24 juin 2006

modifiant le Règl. de l'Ont. 167/97

(Dispositions générales)

Remarque : Le Règlement de l'Ontario 167/97 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des règlements qui se trouve sur le site www.lois-en-ligne.gouv.on.ca.

1. Les articles 1, 1.1, 2, 3, 4, 5 et 6 du Règlement de l'Ontario 167/97 sont abrogés et remplacés par ce qui suit :

DÉFINITIONS

1. Les définitions qui suivent s'appliquent au présent règlement.

«autorité compétente» S'entend au sens de la *Loi de 2002 sur les ordonnances alimentaires d'exécution réciproque*. («appropriate authority»)

«autorité pratiquant la réciprocité» S'entend au sens de la *Loi de 2002 sur les ordonnances alimentaires d'exécution réciproque*. («reciprocating jurisdiction»)

FIN DE L'OBLIGATION ALIMENTAIRE

2. (1) Pour l'application du paragraphe 8 (3) de la Loi (avis de décès), un avis du décès du payeur est donné par écrit et accompagné d'une copie du certificat de décès, d'un avis d'obsèques, d'une copie du certificat de nomination à titre de fiduciaire de la succession, d'une lettre de l'avocat de la succession du payeur ou de toute autre documentation à l'appui constituant une preuve satisfaisante du décès du payeur.

(2) L'avis et la documentation à l'appui doivent suffire à identifier la personne décédée comme étant le payeur.

(3) Malgré le paragraphe (1), il n'est pas nécessaire de fournir la documentation à l'appui si l'avis du décès du payeur satisfait aux exigences du paragraphe (2) et est donné au directeur par l'une ou l'autre des entités suivantes:

- a) un ministère, un organisme, un conseil ou une commission du gouvernement de l'Ontario;
- b) le gouvernement du Canada, une société de la Couronne, le gouvernement d'une autre province ou d'un territoire, ou un organisme, un conseil ou une commission d'un tel gouvernement;
- c) une autorité compétente d'une autorité pratiquant la réciprocité.

3. Pour l'application de l'alinéa 8 (4) a) de la Loi (entente concernant la fin d'une obligation alimentaire), les questions dont ont convenu le bénéficiaire et le payeur sont énoncées par écrit :

- a) soit dans un document unique signé par chacun d'eux;
- b) soit dans des documents distincts, un signé par le bénéficiaire et l'autre, par le payeur.

4. (1) Pour l'application du paragraphe 8 (5) de la Loi (avis de fin d'une obligation alimentaire), l'avis selon lequel une obligation alimentaire prévue dans une ordonnance alimentaire ou une ordonnance de retenue des aliments a pris fin est donné par écrit et contient les renseignements suivants :

1. Le numéro de dossier attribué à l'ordonnance alimentaire par le bureau du directeur.
2. Les nom et prénoms du payeur.
3. Les nom et prénoms du bénéficiaire.
4. L'adresse et les numéros de téléphone de la partie qui donne l'avis.
5. S'il y a lieu, le numéro de télécopieur, l'adresse électronique et l'adresse professionnelle de la partie qui donne l'avis.
6. L'adresse et les numéros de téléphone de l'autre partie, s'ils sont connus.
7. Des renseignements suffisamment détaillés pour permettre d'identifier l'obligation alimentaire qui a pris fin, y compris la date de l'ordonnance alimentaire et le nom de la personne à charge auxquels l'obligation alimentaire se rapporte.
8. La raison pour laquelle l'obligation a pris fin.
9. La date de la fin de l'obligation.

(2) L'avis est donné dès que possible après que l'obligation alimentaire a pris fin et il peut être donné avant la fin de celle-ci.

5. (1) Sous réserve du paragraphe (2), s'il reçoit en application du paragraphe 8 (5) de la Loi un avis du payeur selon lequel une obligation alimentaire a pris fin le directeur en avise le bénéficiaire et lui demande de confirmer ou nier que l'obligation alimentaire a pris fin.

(2) Le paragraphe (1) ne s'applique pas si l'obligation alimentaire prend fin à une date fixe précisée dans l'ordonnance alimentaire.

(3) Le bénéficiaire répond par écrit à la demande du directeur de confirmer ou de nier la fin d'une obligation alimentaire.

(4) Si le bénéficiaire confirme une partie seulement de l'avis du payeur selon lequel une obligation alimentaire a pris fin, les parties sont réputées avoir convenu que l'obligation alimentaire a pris fin dans la mesure de ce qui a été confirmé.

(5) Si le bénéficiaire nie tout ou partie de l'avis du payeur selon lequel une obligation alimentaire a pris fin, le directeur en avise le payeur.

(6) Le directeur n'est pas tenu d'aviser le payeur s'il reçoit du bénéficiaire, en application du paragraphe 8 (5) de la Loi, un avis selon lequel une obligation alimentaire a pris fin.

6. Le directeur avise les parties à une ordonnance alimentaire ou une ordonnance de retenue des aliments s'il décide, selon le cas :

- a) de cesser d'exécuter l'ordonnance alimentaire en vertu du paragraphe 8.1 (1) de la Loi;
- b) de rétablir l'exécution de l'ordonnance alimentaire en vertu du paragraphe 8.1 (2) de la Loi.
- c) d'exécuter un montant moindre d'aliments en vertu du paragraphe 8.2 (1) de la Loi.

6.1 Si la dernière adresse d'un payeur ou d'un bénéficiaire figurant dans les dossiers du bureau du directeur se trouve dans le ressort d'une autorité pratiquant la réciprocité, le directeur peut envoyer l'avis visé au paragraphe 5 (1) ou à l'article 6 à l'autorité compétente de l'autorité pratiquant la réciprocité.

2. Le présent règlement entre en vigueur au dernier en date du jour de l'entrée en vigueur de l'article 3 de la Loi de 2005 modifiant la Loi sur les obligations familiales et l'exécution des arriérés d'aliments et du jour du dépôt du présent règlement.

ONTARIO REGULATION 259/06

made under the

ONTARIO WORKS ACT, 1997

Made: June 7, 2006

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Amending O. Reg. 134/98
(General)

Note: Ontario Regulation 134/98 has previously been amended. Those amendments are listed in the Table of Regulations -- Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. (1) Paragraph 3.1 of section 53 of Ontario Regulation 134/98 is amended by striking out “in or after July 2005” in the portion before subparagraph i and substituting “in or after July 2005 but before July 2006”.

(2) Section 53 of the Regulation is amended by adding the following paragraph:

3.2 A payment received under section 122.61 of the *Income Tax Act* (Canada) in or after July 2006, as reduced by that portion of the payment with respect to dependent children that represents item “C” in the formula set out in subsection (1) of that section, and as increased by the sum of the following amounts:

- i. \$40.17 for the first dependent child.
- ii. \$38.82 for the second dependent child.
- iii. \$38.41 for each additional dependent child.

RÈGLEMENT DE L'ONTARIO 259/06

pris en application de la

LOI DE 1997 SUR LE PROGRAMME ONTARIO AU TRAVAIL

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modifiant le Règl. de l'Ont. 134/98
(Dispositions générales)

Remarque : Le Règlement de l'Ontario 134/98 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des règlements qui se trouve sur le site www.lois-en-ligne.gouv.on.ca.

1. (1) La disposition 3.1 de l'article 53 du Règlement de l'Ontario 134/98 est modifiée par substitution de «en juillet 2005 ou par la suite, mais avant juillet 2006,» à «en juillet 2005 ou par la suite,» dans le passage qui précède la sous-disposition i.

(2) L'article 53 du Règlement est modifié par adjonction de la disposition suivante :

3.2 Un paiement reçu aux termes de l'article 122.61 de la *Loi de l'impôt sur le revenu* (Canada) en juillet 2006 ou par la suite, déduction faite de la partie du paiement à l'égard des enfants à charge que représente l'élément «C» dans la formule énoncée au paragraphe (1) de cet article, et majoré de la somme des montants suivants :

- i. 40,17 \$ pour le premier enfant à charge.
- ii. 38,82 \$ pour le deuxième enfant à charge.
- iii. 38,41 \$ pour chaque autre enfant à charge.

ONTARIO REGULATION 260/06

made under the

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Amending O. Reg. 222/98

(General)

Note: Ontario Regulation 222/98 has previously been amended. Those amendments are listed in the Table of Regulations — Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. (1) Paragraph 3.1 of section 42 of Ontario Regulation 222/98 is amended by striking out “in or after July 2005” in the portion before subparagraph i and substituting “in or after July 2005 but before July 2006”.

(2) Section 42 of the Regulation is amended by adding the following paragraph:

3.2 A payment received under section 122.61 of the *Income Tax Act* (Canada) in or after July 2006, as reduced by that portion of the payment with respect to dependent children that represents item “C” in the formula set out in subsection (1) of that section, and as increased by the sum of the following amounts:

- i. \$40.17 for the first dependent child.
- ii. \$38.82 for the second dependent child.
- iii. \$38.41 for each additional dependent child.

RÈGLEMENT DE L'ONTARIO 260/06

pris en application de la

LOI DE 1997 SUR LE PROGRAMME ONTARIEN DE SOUTIEN AUX PERSONNES HANDICAPÉES

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(Dispositions générales)

Remarque : Le Règlement de l'Ontario 222/98 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des règlements qui se trouve sur le site www.lois-en-ligne.gouv.on.ca.

1. (1) La disposition 3.1 de l'article 42 du Règlement de l'Ontario 222/98 est modifiée par substitution de «en juillet 2005 ou par la suite, mais avant juillet 2006,» à «en juillet 2005 ou par la suite,» dans le passage qui précède la sous-disposition i.

(2) L'article 42 du Règlement est modifié par adjonction de la disposition suivante :

3.2 Un paiement reçu aux termes de l'article 122.61 de la *Loi de l'impôt sur le revenu* (Canada) en juillet 2006 ou par la suite, déduction faite de la partie du paiement à l'égard des enfants à charge que représente l'élément «C» dans la formule énoncée au paragraphe (1) de cet article, et majoré de la somme des montants suivants :

- i. 40,17 \$ pour le premier enfant à charge.
- ii. 38,82 \$ pour le deuxième enfant à charge.
- iii. 38,41 \$ pour chaque autre enfant à charge.

ONTARIO REGULATION 261/06

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Amending O. Reg. 134/98
(General)

Note: Ontario Regulation 134/98 has previously been amended. Those amendments are listed in the Table of Regulations and Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Clause 7 (2) (d) of Ontario Regulation 134/98 is amended by striking out “for a period not exceeding three months” at the end.

2. Subsection 10 (6) of the Regulation is revoked.

3. (1) Subsection 33 (1) of the Regulation is amended by adding “or” at the end of clause (a), by striking out “or” at the end of clause (b) and by revoking clause (c).

(2) Clause 33 (2) (a) of the Regulation is revoked and the following substituted:

(a) for six months if clause (1) (a) or (b) applies and assistance or income support under the *Ontario Disability Support Program Act, 1997* with respect to the person has been previously refused, cancelled or reduced for a reason referred to in one of those clauses; or

(3) Clause 33 (3) (a) of the Regulation is revoked and the following substituted:

(a) for six months if clause (1) (a) or (b) applies and assistance or income support under the *Ontario Disability Support Program Act, 1997* with respect to the participant has been previously refused, cancelled or reduced for a reason referred to in one of those clauses; or

(4) Subsection 33 (4) of the Regulation is revoked and the following substituted:

(4) The three or six-month period referred to in subsections (2) and (3) shall be calculated from the date of the administrator’s decision based on a reason referred to in clause (1) (a) or (b).

4. (1) Subsection 34 (1) of the Regulation is amended by adding “or” at the end of clause (a), by striking out “or” at the end of clause (b) and by revoking clause (c).

(2) Subsection 34 (3) of the Regulation is amended by striking out “clause 1 (a), (b) or (c)” and substituting “clause 1 (a) or (b)”.

(3) Subsection 34 (4) of the Regulation is revoked.

5. (1) Paragraph 5 of subsection 39 (1) of the Regulation is amended by striking out “\$5,000” in subparagraphs i and ii and substituting in each case “\$10,000”.

(2) Subsection 39 (1) of the Regulation is amended by adding the following paragraphs:

14.1 The earnings of a dependent adult who is attending secondary school full time or the amount paid to a dependent adult under a training program while the dependent adult is attending school or the training program.

14.2 The earnings of a dependent adult made while the dependent adult was attending secondary school full time or a training program if the earnings,

i. are being used for training or post-secondary education costs, or

ii. within a reasonable period as determined by the administrator, are to be used for training or post-secondary education costs.

6. Subsection 40 (1) of the Regulation is amended,

(a) by striking out “sections 41 to 44” and substituting “sections 41 to 44.1”; and

(b) by striking out “sections 45 to 47” and substituting “sections 45 to 47.1”.

7. Section 47.1 of the Regulation is revoked and the following substituted:

REDUCTION OF BUDGETARY REQUIREMENTS — PERSON IN RESIDENTIAL PROGRAM FOR THE TREATMENT OF
SUBSTANCE ADDICTION

47.1 (1) Subject to subsection (2), if a member of the benefit unit resides in a facility for the purpose of participating in a residential program for treatment of substance addiction, the administrator may reduce the budgetary requirements for that member.

(2) Subsection (1) does not apply for the first three months that the member of the benefit unit resides in such a facility.

8. Paragraph 1 of subsection 54 (1) of the Regulation is amended by adding the following subparagraph:

- vii. applied to the purchase of household items necessary for the well-being of one or more members of the benefit unit and approved by the administrator.

9. (1) Subparagraph 1 i of subsection 55 (1) of the Regulation is revoked and the following substituted:

- i. the cost for drugs prescribed for members of the benefit unit by an approved health professional, not including the co-payment that a member of the benefit unit is charged under the *Ontario Drug Benefit Act*, if those drugs have been approved by the Minister of Health and Long-Term Care and purchased from a dispensary during any month in which the person requiring the drugs is a member of the benefit unit,

(2) Paragraph 6 of subsection 55 (1) of the Regulation is revoked and the following substituted:

OTHER EMPLOYMENT AND EMPLOYMENT ASSISTANCE ACTIVITIES BENEFIT

- 6. Subject to subsection (1.0.4), if a recipient, a spouse included in the benefit unit, a dependent adult who is not attending school full time or a dependent child who has received an Ontario Secondary School Diploma or its equivalent begins or changes employment or begins an employment assistance activity, an amount determined by the administrator for expenses approved by the administrator and reasonably necessary for the person to begin the new employment or activity, up to a maximum in any 12-month period with respect to any one person of \$253.

10. Section 59 of the Regulation is amended by adding the following subsection:

(4.1) Children on behalf of whom temporary care assistance is provided are a prescribed class of persons for the purpose of clause 8 (c) of the Act.

11. Clause 62 (1) (a) of the Regulation is revoked and the following substituted:

- (a) 10 per cent of budgetary requirements; and

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Remarque : Le Règlement de l'Ontario 134/98 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des règlements qui se trouve sur le site www.lois-en-ligne.gouv.on.ca.

1. L'alinéa 7 (2) d) du Règlement de l'Ontario 134/98 est modifié par suppression de «et pendant au plus trois mois».

2. Le paragraphe 10 (6) du Règlement est abrogé.

3. (1) Le paragraphe 33 (1) du Règlement est modifié par abrogation de l'alinéa c).

(2) L'alinéa 33 (2) a) du Règlement est abrogé et remplacé par ce qui suit :

- a) pendant six mois si l'alinéa (1) a) ou b) s'applique et que l'aide ou le soutien du revenu prévu par la *Loi de 1997 sur le Programme ontarien de soutien aux personnes handicapées* à l'égard de la personne a été antérieurement refusé, annulé ou réduit pour un motif prévu à un de ces alinéas;

(3) L'alinéa 33 (3) a) du Règlement est abrogé et remplacé par ce qui suit :

- a) pendant six mois si l'alinéa (1) a) ou b) s'applique et que l'aide ou le soutien du revenu prévu par la *Loi de 1997 sur le Programme ontarien de soutien aux personnes handicapées* à l'égard du participant a été antérieurement refusé, annulé ou réduit pour un motif prévu à un de ces alinéas;

(4) Le paragraphe 33 (4) du Règlement est abrogé et remplacé par ce qui suit :

(4) La période de trois ou de six mois visée aux paragraphes (2) et (3) est calculée à partir de la date de la décision que prend l'administrateur pour un motif prévu à l'alinéa (1) a) ou b).

4. (1) Le paragraphe 34 (1) du Règlement est modifié par abrogation de l'alinéa c).

(2) Le paragraphe 34 (3) du Règlement est modifié par substitution de «l'alinéa 1 a) ou b)» à «l'alinéa (1) a), b) ou c)».

(3) Le paragraphe 34 (4) du Règlement est abrogé.

5. (1) La disposition 5 du paragraphe 39 (1) du Règlement est modifiée par substitution de «10 000 \$» à «5 000 \$» aux sous-dispositions i et ii.

(2) Le paragraphe 39 (1) du Règlement est modifié par adjonction des dispositions suivantes :

- 14.1 Les gains d'un adulte à charge qui fréquente l'école secondaire à plein temps ou le montant qui est payé à un adulte à charge dans le cadre d'un programme de formation pendant qu'il fréquente l'école ou suit le programme de formation.
- 14.2 Les gains d'un adulte à charge réalisés pendant qu'il fréquentait l'école secondaire à plein temps ou suivait un programme de formation si ces sommes :
 - i. soit sont affectées à des frais de formation ou à des frais d'études postsecondaires,
 - ii soit doivent être affectées à des frais de formation ou à des frais d'études postsecondaires dans un délai raisonnable, selon ce que juge l'administrateur.

6. Le paragraphe 40 (1) du Règlement est modifié :

- a) par substitution de «articles 41 à 44.1» à «articles 41 à 44»;
- b) par substitution de «articles 45 à 47.1» à «articles 45 à 47».

7. L'article 47.1 du Règlement est abrogé et remplacé par ce qui suit :

RÉDUCTION DES BESOINS MATÉRIELS — PERSONNE SUIVANT EN ÉTABLISSEMENT UN PROGRAMME DE TRAITEMENT DE LA TOXICOMANIE

47.1 (1) Sous réserve du paragraphe (2), si un membre du groupe de prestataires réside dans un établissement pour y suivre un programme de traitement de la toxicomanie, l'administrateur peut réduire ses besoins matériels.

(2) Le paragraphe (1) ne s'applique pas à l'égard des trois premiers mois durant lesquels le membre du groupe de prestataires réside dans un tel établissement.

8. La disposition 1 du paragraphe 54 (1) du Règlement est modifiée par adjonction de la sous-disposition suivante :

- vii. est affectée à l'achat des articles de ménage qui sont nécessaires au bien-être d'un ou de plusieurs membres du groupe de prestataires et qu'approuve l'administrateur.

9. (1) La sous-disposition 1 i du paragraphe 55 (1) du Règlement est abrogée et remplacée par ce qui suit :

- i. le coût des médicaments prescrits pour les membres du groupe de prestataires par un professionnel de la santé agréé, à l'exclusion de la quote-part demandée à un membre du groupe de prestataires en vertu de la *Loi sur le régime de médicaments de l'Ontario*, si ces médicaments ont été approuvés par le ministre de la Santé et des Soins de longue durée et achetés à un dispensaire au cours d'un mois pendant lequel la personne qui a besoin des médicaments est un membre du groupe de prestataires,

(2) La disposition 6 du paragraphe 55 (1) du Règlement est abrogée et remplacée par ce qui suit :

AUTRES PRESTATIONS POUR EMPLOI ET ACTIVITÉS D'AIDE À L'EMPLOI

- 6. Sous réserve du paragraphe (1.0.4), si un bénéficiaire, un conjoint compris dans le groupe de prestataires, un adulte à charge qui ne fréquente pas l'école à plein temps ou un enfant à charge qui a obtenu le diplôme d'études secondaires de l'Ontario ou un diplôme équivalent commence un emploi ou change d'emploi ou commence une activité d'aide à l'emploi, le montant déterminé par l'administrateur pour les dépenses qu'il approuve et qui sont raisonnablement nécessaires pour que la personne commence le nouvel emploi ou l'activité, jusqu'à concurrence de 253 \$ par personne par période de 12 mois.

10. L'article 59 du Règlement est modifié par adjonction du paragraphe suivant :

(4.1) Les enfants au nom de qui est fournie une aide pour soins temporaires constituent une catégorie prescrite de personnes pour l'application de l'alinéa 8 (c) de la Loi.

11. L'alinéa 62 (1) a) du Règlement est abrogé et remplacé par ce qui suit :

- a) 10 pour cent des besoins matériels;

25/06

ONTARIO REGULATION 262/06

made under the

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Amending O. Reg. 222/98
(General)

Note: Ontario Regulation 222/98 has previously been amended. Those amendments are listed in the Table of Regulations - Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. (1) Subsection 24 (1) of Ontario Regulation 222/98 is amended by adding "or" at the end of clause (a), by striking out "or" at the end of clause (b) and by revoking clause (c).

(2) Clause 24 (2) (a) of the Regulation is revoked and the following substituted:

- (a) for six months if clause (1) (a) or (b) applies and income support or assistance under the *Ontario Works Act, 1997* with respect to the dependent adult or spouse has been previously refused, cancelled or reduced for a reason referred to in one of those clauses; or

(3) Subsection 24 (3) of the Regulation is revoked and the following substituted:

(3) The three or six-month period referred to in subsection (2) shall be calculated from the date of the Director's decision based on a reason referred to in clause (1) (a) or (b).

2. (1) Subsection 28 (1) of the Regulation is amended by adding the following paragraphs:

- 32.1 The earnings of a dependent adult who is attending secondary school full time or the amount paid to a dependent adult under a training program while the dependent adult is attending school or the training program.
- 32.2 The earnings of a dependent adult made while the dependent adult was attending secondary school full time or a training program if the earnings,
- i. are being used for training or post-secondary education costs, or
 - ii. within a reasonable period as determined by the Director, are to be used for training or post-secondary education costs.

(2) Subsection 28 (2) of the Regulation is revoked and the following substituted:

(2) The total amount allowed under paragraphs 14, 14.1 and 14.2 of subsection (1) shall not exceed \$100,000 unless the Director is satisfied that the person has made an appropriate arrangement for the administration of the amount exceeding \$100,000 and that the amount exceeding \$100,000,

- (a) is paid with respect to expenses referred to in subparagraph 14 ii of subsection (1) and is used or is to be used for those expenses; or
- (b) is used or is to be used for a purpose set out in paragraph 9 of subsection 43 (1).

(3) Section 28 of the Regulation is amended by adding the following subsection:

(2.1) The Director may reduce the asset exemption with respect to the amount exceeding \$100,000 under subsection (2), if the Director is not satisfied that the amount,

- (a) has been used with respect to expenses referred to in subparagraph 14 ii of subsection (1);
- (b) has been used for a purpose set out in paragraph 9 of subsection 43 (1); or
- (c) will be used for such expenses or such a purpose within a reasonable period of time.

3. Subsection 29 (1) of the Regulation is amended,

- (a) by striking out “sections 30 to 33” and substituting “sections 30 to 33.1”; and
- (b) by striking out “sections 34 to 36” and substituting “sections 34 to 36.1”.

4. Subsection 32 (2) of the Regulation is amended by striking out “and” at the end of clause (a) and by revoking clause (b) and substituting the following:

- (b) \$834.58 for residents of a home under the *Homes for the Aged and Rest Homes Act*, for residents of an approved charitable home for the aged under the *Charitable Institutions Act* and residents of a nursing home operated by a licensee under the *Nursing Homes Act*; and
- (c) \$843.00 for residents of a group home for persons with a developmental disability under the *Developmental Services Act* and for residents of charitable institutions approved by the Minister under subsection 3 (1) of the *Charitable Institutions Act* as a member of a class of institutions approved by the Minister under section 2 of Regulation 69 of the Revised Regulations of Ontario, 1990 (General) made under that Act other than an approved charitable home for the aged.

5. Clause 43 (2) (a) of the Regulation is revoked and the following substituted:

- (a) is paid with respect to expenses referred to in subparagraph 4 ii of subsection (1) and is used or is to be used for those expenses; or

6. (1) Subparagraph 1 i of subsection 44 (1) of the Regulation is revoked and the following substituted:

- i. the cost for drugs prescribed for members of the benefit unit by an approved health professional, not including the co-payment that a member of the benefit unit is charged under the *Ontario Drug Benefit Act*, if those drugs have been approved by the Minister of Health and Long-Term Care and purchased from a dispensary during any month in which the person requiring the drugs is a member of the benefit unit,

(2) Paragraph 6 of subsection 44 (1) of the Regulation is revoked and the following substituted:

EMPLOYMENT AND TRAINING START UP ASSISTANCE

- 6. If a recipient, a spouse included in the benefit unit, a dependent adult who is not attending school full time or a dependent child who has received an Ontario Secondary School Diploma or its equivalent begins or changes employment or begins an employment assistance activity under the *Ontario Works Act, 1997*, an amount determined by the Director for expenses approved by the Director and reasonably necessary for the person to begin the new employment or activity, up to a maximum in any 12-month period with respect to any one person of \$253.

(3) Paragraph 6 of subsection 44 (1) of the Regulation, as re-made by Ontario Regulation 29/06, is amended by striking out the portion before subparagraph i and substituting the following:

EMPLOYMENT AND TRAINING START UP ASSISTANCE

- 6. An amount determined by the Director for expenses approved by the Director and reasonably necessary for the person to begin a new employment or an employment assistance activity, up to a maximum in any 12-month period with respect to any one person of \$500, if a recipient, a spouse included in the benefit unit, a dependent adult who is not attending school full time or a dependent child who has received an Ontario Secondary School Diploma or its equivalent,

7. Clause 51 (1) (a) of the Regulation is revoked and the following substituted:

- (a) 10 per cent of budgetary requirements; and

8. (1) Subject to subsection (2), this Regulation comes into force on the day it is filed.

(2) Subsection 6 (3) comes into force on November 1, 2006.

RÈGLEMENT DE L'ONTARIO 262/06

pris en application de la

LOI DE 1997 SUR LE PROGRAMME ONTARIEN DE SOUTIEN AUX PERSONNES HANDICAPÉES

pris le 7 juin 2006

déposé le 9 juin 2006

publié sur le site Lois-en-ligne le 13 juin 2006

imprimé dans la *Gazette de l'Ontario* le 24 juin 2006

modifiant le Règl. de l'Ont. 222/98

(Dispositions générales)

Remarque : Le Règlement de l'Ontario 222/98 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des règlements qui se trouve sur le site www.lois-en-ligne.gouv.on.ca.

1. (1) Le paragraphe 24 (1) du Règlement de l'Ontario 222/98 est modifié par abrogation de l'alinéa c).

(2) L'alinéa 24 (2) a) du Règlement est abrogé et remplacé par ce qui suit :

- a) pendant six mois si l'alinéa (1) a) ou b) s'applique et que le soutien du revenu ou l'aide prévue par la *Loi de 1997 sur le programme Ontario au travail* à l'égard de l'adulte à charge ou du conjoint a été antérieurement refusé, annulé ou réduit pour un motif prévu à un de ces alinéas;

(3) Le paragraphe 24 (3) du Règlement est abrogé et remplacé par ce qui suit :

(3) La période de trois ou de six mois visée au paragraphe (2) est calculée à partir de la date de la décision que prend le directeur pour un motif prévu à l'alinéa (1) a) ou b).

2. (1) Le paragraphe 28 (1) du Règlement est modifié par adjonction des dispositions suivantes :

- 32.1 Les gains d'un adulte à charge qui fréquente l'école secondaire à plein temps ou le montant qui est payé à un adulte à charge dans le cadre d'un programme de formation pendant qu'il fréquente l'école ou suit le programme de formation.
- 32.2 Les gains d'un adulte à charge réalisés pendant qu'il fréquentait l'école secondaire à plein temps ou suivait un programme de formation si ces sommes :
- i. soit sont affectées à des frais de formation ou à des frais d'études postsecondaires,
 - ii. soit doivent être affectées à des frais de formation ou à des frais d'études postsecondaires dans un délai raisonnable, selon ce que juge le directeur.

(2) Le paragraphe 28 (2) du Règlement est abrogé et remplacé par ce qui suit :

(2) Le montant total permis aux termes des dispositions 14, 14.1 et 14.2 du paragraphe (1) ne doit pas dépasser 100 000 \$ à moins que le directeur ne soit convaincu que la personne a pris un arrangement approprié pour la gestion de la tranche excédentaire et que celle-ci, selon le cas :

- a) est versée à l'égard des dépenses visées à la sous-disposition 14 ii du paragraphe (1) et est ou sera utilisée à cette fin;
- b) est ou sera utilisée à une fin énoncée à la disposition 9 du paragraphe 43 (1).

(3) L'article 28 du Règlement est modifié par adjonction du paragraphe suivant :

(2.1) Le directeur peut réduire l'exemption concernant la tranche qui excède 100 000 \$ prévue au paragraphe (2) s'il n'est pas convaincu que celle-ci, selon le cas :

- a) a été utilisée à l'égard des dépenses visées à la sous-disposition 14 ii du paragraphe (1);
- b) a été utilisée à une fin énoncée à la disposition 9 du paragraphe 43 (1);
- c) sera utilisée, dans un délai raisonnable, à l'égard de telles dépenses ou à une telle fin.

3. Le paragraphe 29 (1) du Règlement est modifié :

- a) par substitution de «articles 30 à 33.1» à «articles 30 à 33»;
- b) par substitution de «articles 34 à 36.1» à «articles 34 à 36».

4. Le paragraphe 32 (2) du Règlement est modifié par substitution de ce qui suit à l'alinéa b) :

- b) 834,58 \$ pour les résidents d'un foyer au sens de la *Loi sur les foyers pour personnes âgées et les maisons de repos*, pour les pensionnaires d'un foyer de bienfaisance pour personnes âgées agréé au sens de la *Loi sur les établissements de bienfaisance* et pour les pensionnaires d'une maison de soins infirmiers exploitée par un titulaire de permis au sens de la *Loi sur les maisons de soins infirmiers*;
- c) 843,00 \$ pour les résidents d'un foyer de groupe pour personnes ayant une déficience intellectuelle au sens de la *Loi sur les services aux personnes ayant une déficience intellectuelle* et pour les pensionnaires d'établissements de bienfaisance qui sont agréés par le ministre en vertu du paragraphe 3 (1) de la *Loi sur les établissements de bienfaisance* comme appartenant à une catégorie d'établissements agréée par le ministre en vertu de l'article 2 du Règlement 69 des Règlements refondus de l'Ontario de 1990 (General) pris en application de cette loi et qui ne sont pas des foyers de bienfaisance pour personnes âgées agréés.

5. L'alinéa 43 (2) a) du Règlement est abrogé et remplacé par ce qui suit :

- a) est versé à l'égard des dépenses visées à la sous-disposition 4 ii du paragraphe (1) et est ou sera utilisé à cette fin;

6. (1) La sous-disposition 1 i du paragraphe 44 (1) du Règlement est abrogée et remplacée par ce qui suit :

- i. le coût des médicaments prescrits pour les membres du groupe de prestataires par un professionnel de la santé agréé, à l'exclusion de la quote-part demandée à un membre du groupe de prestataires en vertu de la *Loi sur le régime de médicaments de l'Ontario*, si ces médicaments ont été approuvés par le ministre de la Santé et des Soins de longue durée et achetés à un dispensaire au cours d'un mois pendant lequel la personne qui a besoin des médicaments est un membre du groupe de prestataires,

(2) La disposition 6 du paragraphe 44 (1) du Règlement est abrogée et remplacée par ce qui suit :

AIDE AU COMMENCEMENT DE L'EMPLOI ET DE LA FORMATION

- 6. Si un bénéficiaire, un conjoint compris dans le groupe de prestataires, un adulte à charge qui ne fréquente pas l'école à plein temps ou un enfant à charge qui a obtenu le diplôme d'études secondaires de l'Ontario ou un diplôme équivalent commence un emploi ou change d'emploi ou commence une activité d'aide à l'emploi prévue par la *Loi de 1997 sur le programme Ontario au travail*, le montant déterminé par le directeur pour les dépenses qu'il approuve et qui sont raisonnablement nécessaires pour que la personne commence le nouvel emploi ou l'activité, jusqu'à concurrence de 253 \$ par personne par période de 12 mois.

(3) La disposition 6 du paragraphe 44 (1) du Règlement, telle qu'elle est prise de nouveau par le Règlement de l'Ontario 29/06, est modifiée par substitution de ce qui suit au passage qui précède la sous-disposition i :

AIDE AU COMMENCEMENT DE L'EMPLOI ET DE LA FORMATION

- 6. Le montant déterminé par le directeur pour les dépenses qu'il approuve et qui sont raisonnablement nécessaires pour que la personne commence un nouvel emploi ou une activité d'aide à l'emploi, jusqu'à concurrence de 500 \$ par personne par période de 12 mois, si un bénéficiaire, un conjoint compris dans le groupe de prestataires, un adulte à charge qui ne fréquente pas l'école à plein temps ou un enfant à charge qui a obtenu le diplôme d'études secondaires de l'Ontario ou un diplôme équivalent :

.

7. L'alinéa 51 (1) a) du Règlement est abrogé et remplacé par ce qui suit :

- a) 10 pour cent des besoins matériels;

8. (1) Sous réserve du paragraphe (2), le présent règlement entre en vigueur le jour de son dépôt.

(2) Le paragraphe 6 (3) entre en vigueur le 1^{er} novembre 2006.

ONTARIO REGULATION 263/06

made under the

ONTARIO WORKS ACT, 1997

Made: June 7, 2006

Filed: June 9, 2006

Published on e-Laws: June 13, 2006

Printed in *The Ontario Gazette*: June 24, 2006

Amending O. Reg. 135/98

(Administration and Cost Sharing)

Note: Ontario Regulation 135/98 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Subsection 7 (1) of Ontario Regulation 135/98 is amended by striking out the portion before clause (a) and substituting the following:

(1) Subject to subsections (2), (2.1) and (3), 7.1 (1) and 8.1 (1), the subsidy payable by Ontario to a delivery agent shall be equal to the sum of,

.

2. Subsection 7.1 (1) of the Regulation is revoked and the following substituted:

(1) For the purpose of calculating the subsidy payable by Ontario to a delivery agent under subsections 7 (1), (1.1), (2) and (2.1), the amount that may be included in the calculation of assistance costs incurred by the delivery agent in a month in providing the benefits set out in subsection (2) shall not exceed the sum of,

- (a) the product obtained by multiplying \$8.75 by the number of recipients to whom the delivery agent provided basic financial assistance; and
- (b) the product obtained by multiplying \$8.75 by the number of recipients of income support under the *Ontario Disability Support Program Act, 1997* in the geographic area of the delivery agent.

3. Section 13 of the Regulation is revoked and the following substituted:

13. The Director shall pay, on behalf of an applicant or recipient,

- (a) the cost of completion of a medical report in the amount of \$15 if it is a report or a supplementary report requested by the administrator and submitted by an approved health professional;
- (b) the cost in the amount of \$20 of completion by an approved health professional of an application for a special diet because of a medical condition set out in Schedule 1 to Ontario Regulation 564/05 (Prescribed Policy Statements) made under the Act or a nutritional allowance referred to in paragraph 6 of subsection 41 (1), paragraph 6 of subsection 44 (1), paragraph 6 of subsection 44 (2), paragraph 5 of subsection 44 (3) or clause 57 (5) (e) of Ontario Regulation 134/98 (General) made under the Act.

RÈGLEMENT DE L'ONTARIO 263/06

pris en application de la

LOI DE 1997 SUR LE PROGRAMME ONTARIO AU TRAVAIL

pris le 7 juin 2006

déposé le 9 juin 2006

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imprimé dans la *Gazette de l'Ontario* le 24 juin 2006

modifiant le Règl. de l'Ont. 135/98

(Administration et partage des coûts)

Remarque : Le Règlement de l'Ontario 135/98 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des règlements qui se trouve sur le site www.lois-en-ligne.gouv.on.ca.

1. Le paragraphe 7 (1) du Règlement de l'Ontario 135/98 est modifié par substitution de ce qui suit au passage qui précède l'alinéa a) :

(1) Sous réserve des paragraphes (2), (2.1) et (3), 7.1 (1) et 8.1 (1), le subside payable par l'Ontario à un agent de prestation des services est égal à la somme des montants suivants :

2. Le paragraphe 7.1 (1) du Règlement est abrogé et remplacé par ce qui suit :

(1) Aux fins du calcul du subside payable par l'Ontario à l'agent de prestation des services aux termes des paragraphes 7 (1), (1.1), (2) et (2.1), le montant qui peut être inclus dans le calcul des coûts de l'aide que celui-ci a engagés au cours d'un mois pour fournir les prestations énoncées au paragraphe (2) ne doit pas dépasser la somme des montants suivants :

- a) le produit obtenu en multipliant 8,75 \$ par le nombre de bénéficiaires à qui l'agent de prestation des services a fourni une aide financière de base;
- b) le produit obtenu en multipliant 8,75 \$ par le nombre de bénéficiaires du soutien du revenu prévu par la *Loi de 1997 sur le Programme ontarien de soutien aux personnes handicapées* dans la zone géographique de l'agent de prestation des services.

3. L'article 13 du Règlement est abrogé et remplacé par ce qui suit :

13. Le directeur paie, au nom de l'auteur d'une demande ou d'un bénéficiaire :

- a) des frais de 15 \$ pour l'établissement d'un rapport médical s'il s'agit d'un rapport ou d'un rapport supplémentaire demandé par l'administrateur et présenté par un professionnel de la santé agréé;
- b) des frais de 20 \$ pour l'établissement, par un professionnel de la santé agréé, d'une demande de régime spécial nécessaire en raison d'un état pathologique énoncé à l'annexe 1 du Règlement de l'Ontario 564/05 (Déclarations de principes prescrites) pris en application de la Loi ou d'une demande d'allocation nutritionnelle visée à la disposition 6 du paragraphe 41 (1), à la disposition 6 du paragraphe 44 (1), à la disposition 6 du paragraphe 44 (2), à la disposition 5 du paragraphe 44 (3) ou à l'alinéa 57 (5) e) du Règlement de l'Ontario 134/98 (Dispositions générales) pris en application de la Loi.

25/06

NOTE: The Table of Regulations – Legislative History Overview and other tables related to regulations can be found at the e-Laws website (www.e-Laws.gov.on.ca) under Tables. Consolidated regulations may also be found at that site by clicking on Statutes and associated Regulations under Consolidated Law.

REMARQUE : On trouve le Sommaire de l'historique législatif des règlements et d'autres tables liées aux règlements sur le site Web Lois-en-ligne (www.lois-en-ligne.gouv.on.ca) en cliquant sur «Tables». On y trouve également les règlements codifiés en cliquant sur le lien Lois et règlements d'application sous la rubrique «Textes législatifs codifiés».

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2006—07—01

ONTARIO REGULATION 264/06

made under the

EDUCATION ACT

Made: June 7, 2006

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Amending O. Reg. 99/02
(Teacher Performance Appraisal)

Note: Ontario Regulation 99/02 has previously been amended. Those amendments are listed in the Table of Regulations — Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Section 1 of Ontario Regulation 99/02 is amended by adding the following subsection:

(4) In this Regulation,

“classroom observation” includes the observation of a teacher in his or her ordinary teaching environment if that environment is not a classroom.

2. Sections 2 to 9, the heading before section 10 and sections 10 and 11 of the Regulation are revoked and the following substituted:

PART II TEACHERS OTHER THAN NEW TEACHERS

Application

2. This Part applies with respect to teachers, other than new teachers, and in this Part every reference to a “teacher” means a teacher other than a new teacher.

Parental and pupil input

3. (1) With respect to teachers, every board shall develop an annual written parent survey and pupil survey in consultation with the school councils and principals for the schools governed by the board, the special education advisory committee and those parents, pupils and teachers who are interested.

(2) A parent survey must ask for parental input on each teacher of each child of the parent and the parent’s level of satisfaction with communication between the parent and the teacher about the child’s learning and progress.

(3) A pupil survey must ask for input from each pupil who is in a grade 11 or 12 or OAC course in a school governed by the board, relating to,

- (a) communication between the pupil and each of the pupil’s teachers of a grade 11 or 12 or OAC course; and
- (b) whether each of the teachers effectively promotes pupil learning.

(4) The responses given in a parent survey and a pupil survey,

- (a) must not be used for any purpose other than a performance appraisal of a teacher referred to in the responses; and
- (b) must not be disclosed to any person other than the principal, the appropriate supervisory officer and the appropriate board, except as permitted under this Regulation.

(5) The principal shall, on the request of a parent or pupil, remove all words and names that would identify the parent or pupil from a document that contains input from the parent or pupil, including a parent survey and a pupil survey, before the document or a copy of the document is provided to a teacher.

- (6) The principal shall not disclose to a teacher any parental input or pupil input that relates to another teacher.

Evaluation cycle

4. (1) The evaluation cycle for teachers shall be three consecutive years.
- (2) Every board shall schedule evaluation years for teachers in a manner that provides for each teacher to have one evaluation year in each evaluation cycle during which the teacher is employed by the board.
- (3) The first year in which a teacher is employed by a board shall be an evaluation year.
- (4) Within 20 school days after a teacher commences teaching in a year that is scheduled as an evaluation year for the teacher, the appropriate principal shall notify the teacher that the year is an evaluation year.
- (5) The board shall ensure that each teacher receives at least two performance appraisals during each of his or her evaluation years.
- (6) Once a teacher employed by a board has an evaluation year, each subsequent evaluation year of the teacher, as long as the teacher continues in the employ of that board, must be preceded by two years that are not evaluation years for the teacher.

Principal's role

5. (1) The performance appraisals under this Part shall be conducted by the principal assigned to the school to which the teacher is assigned in the evaluation year scheduled for the teacher.
- (2) The principal may conduct performance appraisals of a teacher under this Part at such intervals as the principal considers appropriate, subject to any requirements in Part X.2 of the Act or any regulation, guideline, rule or policy under that Part.
- (3) The principal shall give the teacher written notice of the rating determined for each performance appraisal conducted under this section.

Additional performance appraisals

6. (1) A principal of a school may conduct performance appraisals of a teacher assigned to the school that are additional to those required by section 4, if the principal considers it advisable to do so in light of circumstances relating to the teacher's performance.
- (2) Subject to subsection (3), and except during a teacher's evaluation year, a teacher may request performance appraisals that are additional to those required by section 4 and the principal assigned to the school to which the teacher is assigned shall conduct them.
- (3) The principal may refuse to conduct a performance appraisal requested under subsection (2) where he or she is of the opinion that it is unlikely that the performance appraisal will lead to improvement in the teacher's performance.
- (4) The principal shall give the teacher written notice of the rating determined for each performance appraisal conducted under this section.

Rating scale

7. The principal shall assign one of the following overall performance ratings to a teacher, based on the results of the performance appraisal:

1. Exemplary.
2. Good.
3. Satisfactory.
4. Unsatisfactory.

Performance appraisal

8. (1) A performance appraisal of a teacher must satisfy the following requirements:
1. The teacher must be evaluated with respect to the competencies set out in Schedule 1 and such other competencies as may be provided for by the appropriate board under subsection 277.32 (1) of the Act.
 2. The performance appraisal must include the steps listed in subsection (2).
 3. The performance appraisal must be conducted in accordance with such guidelines as the Minister may issue and in accordance with such additional policies, rules, standards, methods, processes, timelines and steps as may be established by the appropriate board.
- (2) A performance appraisal must include the following steps:
1. A meeting between the principal and the teacher in preparation for a classroom observation of the teacher and to review the teacher's current learning plan.

2. The completion by the principal and teacher of a pre-observation profile in a form approved by the Minister.
 3. A classroom observation to evaluate the teacher's competencies, including a determination by the principal of whether the teacher has the knowledge and is employing the practices described in the guidelines issued by the Minister under subsection 277.33 (1) of the Act.
 4. A meeting between the principal and the teacher after the classroom observation,
 - i. to review the results of the classroom observation,
 - ii. to discuss other information relevant to the principal's evaluation of the teacher's competencies, including parental input and pupil input concerning the teacher,
 - iii. to complete the post-observation report, in a form approved by the Minister, and
 - iv. to finalize the teacher's learning plan for the current year.
 5. An opportunity for the teacher to review and respond to the principal in respect of the parental input, pupil input or both, within such period of time as the principal considers reasonable in the circumstances.
 6. Consideration by the principal of any response provided by the teacher under paragraph 5.
 7. Preparation by the principal of a summative report of the performance appraisal, in a form approved by the Minister, containing,
 - i. the principal's evaluation of the teacher,
 - ii. the principal's overall performance rating of the teacher, and
 - iii. the principal's explanation for the rating.
 8. Provision to the teacher of a copy of the summative report, signed by the principal, within 20 school days after the classroom observation.
 9. Signature by the teacher of a copy of the summative report, to acknowledge receipt by the teacher of a copy of the report.
 10. Provision to the appropriate board of a copy of the summative report, as signed by both the principal and the teacher, and the teacher's learning plan for the year.
- (3) At the request of either the teacher or the principal, the teacher and principal shall meet to discuss the performance appraisal after the teacher receives a copy of the summative report.

Records

9. Every board shall retain each record made under Part X.2 of the Act for a period of at least six years from the date of the summative report of the performance appraisal to which the record relates.

SPECIAL RULES

Performance appraisals if teaching only one semester

10. If a teacher is teaching in only one semester during a year that is scheduled as an evaluation year, all performance appraisals of the teacher required during that evaluation year must be conducted in that semester.

Periods of time excluded from evaluation cycle

11. (1) The three-year evaluation cycle mentioned in subsection 4 (1) excludes the following periods of time:
1. A period during which the teacher does not teach at any time in a school governed by the board.
 2. A period in a year in the three-year cycle that is scheduled as an evaluation year for the teacher if, throughout the period, the teacher is on an extended leave that has been approved by the board.
 3. A period when the teacher is on secondment to a non-teaching position.
 4. A period when the teacher is on secondment to a teaching position outside the Ontario public education system.
- (2) If a teacher is on an extended leave during all or part of a year that is scheduled as an evaluation year, any performance appraisal that would otherwise be carried out during that period must be conducted within 60 school days after the teacher returns from leave.

Rules, seconded teachers

12. (1) The following rules apply to every teacher who is seconded to a teaching position in the Ontario public education system during a three-year cycle:

1. The year that is scheduled as an evaluation year for the teacher during the cycle does not change.

2. The board from which the teacher is seconded must advise the board to which the teacher is seconded of the teacher's position in the teacher's three-year cycle.
 3. The board to which the teacher is seconded shall ensure that all performance appraisals of the teacher that are required during the period the teacher is on secondment to the board are carried out.
- (2) If a performance appraisal carried out while a teacher is seconded to another board results in an unsatisfactory overall performance rating, the following rules apply:
1. The secondment agreement terminates.
 2. The performance appraisal is deemed not to have been conducted except for the purposes of terminating the secondment agreement.
 3. The teacher's three-year cycle recommences on the termination of the secondment agreement and the first year in the cycle is an evaluation year for the teacher.
 4. The board to which the teacher returns shall ensure that a performance appraisal of the teacher is conducted within 60 school days after the teacher's return.

PART III NEW TEACHERS

Application

13. This Part applies with respect to new teachers and in this Part every reference to a teacher means a "new teacher".

Parental and pupil input

14. (1) With respect to teachers, every board shall develop an annual written parent survey and pupil survey in consultation with the school councils and principals for the schools governed by the board, the special education advisory committee and those parents, pupils and teachers who are interested.

(2) A parent survey must ask for parental input on each teacher of each child of the parent and the parent's level of satisfaction with communication between the parent and the teacher about the child's learning and progress.

(3) A pupil survey must ask for input from each pupil who is in a grade 11 or 12 or OAC course in a school governed by the board, relating to,

- (a) communication between the pupil and each of the pupil's teachers of a grade 11 or 12 or OAC course; and
 - (b) whether each of the teachers effectively promotes pupil learning.
- (4) The responses given in a parent survey and a pupil survey,
- (a) must not be used for any purpose other than a performance appraisal of a teacher referred to in the responses; and
 - (b) must not be disclosed to any person other than the principal, the appropriate supervisory officer and the appropriate board, except as permitted under this Regulation.

(5) The principal shall, on the request of a parent or pupil, remove all words and names that would identify the parent or pupil from a document that contains input from the parent or pupil, including a parent survey and a pupil survey, before the document or a copy of the document is provided to a teacher.

(6) The principal shall not disclose to a teacher any parental input or pupil input that relates to another teacher.

Rating scale

15. (1) The principal shall assign one of the following performance ratings to a new teacher, based on the results of the first performance appraisal conducted in the first 12-month period following his or her being hired as a teacher:

1. Satisfactory.
2. Development Needed.

(2) In the case of a new teacher who was assigned a rating of Satisfactory in the first appraisal, the principal shall assign one of the following ratings to the teacher in the second appraisal conducted in the first 12-month period:

1. Satisfactory.
2. Development Needed.

(3) In the case of a new teacher who was assigned a rating of Development Needed in the first appraisal, the principal shall assign one of the following ratings to the teacher in the second appraisal conducted in the first 12-month period:

1. Satisfactory.
2. Unsatisfactory.

(4) The principal shall assign one of the following ratings to a new teacher in any subsequent appraisal required under the Act:

1. Satisfactory.
2. Unsatisfactory.

(5) In addition to the rating of unsatisfactory, the rating of Development Needed shall be considered not Satisfactory for the purposes of Part X.2 of the Act.

Performance appraisal

16. (1) A performance appraisal of a new teacher must satisfy the following requirements:

1. The teacher must be evaluated with respect to the competencies set out in Schedule 2 and such other competencies as may be provided for by the appropriate board under subsection 277.32 (1) of the Act.
2. The performance appraisal must include a classroom observation to evaluate the teacher's competencies, including a determination by the principal of whether the teacher has the knowledge and is employing the practices described in the guidelines issued by the Minister under subsection 277.33 (1) of the Act.
3. The performance appraisal must be conducted in accordance with such guidelines as the Minister may issue and in accordance with such additional policies, rules, standards, methods, processes, timelines and steps as may be established by the appropriate board.

(2) A performance appraisal of a new teacher must include the following steps:

1. A meeting between the principal and the teacher in preparation for a classroom observation of the teacher.
2. A classroom observation to evaluate the teacher's competencies, including a determination by the principal of whether the teacher has the knowledge and is employing the practices described in the guidelines issued by the Minister under subsection 277.33 (1) of the Act.
3. A meeting between the principal and the teacher after the classroom observation,
 - i. to review the results of the classroom observation, and
 - ii. to discuss other information relevant to the principal's evaluation of the teacher's competencies, including parental input and pupil input concerning the teacher and the teacher's participation in the new teacher induction program.
4. Preparation by the principal of a summative report of the performance appraisal, in a form approved by the Minister, containing,
 - i. the principal's evaluation of the teacher,
 - ii. the principal's overall performance rating of the teacher, and
 - iii. the principal's explanation for the rating.
5. Provision to the teacher of a copy of the summative report, signed by the principal, within 20 school days after the classroom observation.
6. Signature by the teacher of a copy of the summative report, to acknowledge receipt by the teacher of a copy of the report.
7. Provision to the appropriate board of a copy of the summative report, as signed by both the principal and the teacher.

(3) At the request of either the teacher or the principal, the teacher and principal shall meet to discuss the performance appraisal after the teacher receives a copy of the summative report.

Records

17. Every board shall retain each record made under Part X.2 of the Act for a period of at least six years from the date of the summative report of the performance appraisal to which the record relates.

SPECIAL RULES

Periods of time excluded from new teaching period

18. (1) A teacher's new teaching period excludes the following periods of time:

1. A period during which the teacher does not teach at any time in a school governed by the board.

2. A period during which the teacher is on an extended leave that has been approved by the board.
3. A period when the teacher is on secondment to a non-teaching position.
4. A period when the teacher is on secondment to a teaching position outside the Ontario public education system.

(2) With respect to a period during which a teacher is on an extended leave that has been approved by the board, any performance appraisal that would otherwise be carried out during that period must be conducted within 60 school days after the teacher returns from leave.

Extension of evaluation cycle

19. (1) A board shall extend a teacher's new teaching period if all of the following conditions apply:

1. The teacher had three performance appraisals during the first 18 months of the new teaching period and one appraisal resulted in a Satisfactory rating.
2. After the start of the 19th month but before the expiry of the teacher's new teaching period, the teacher,
 - i. begins to teach at a different school governed by the same board, or
 - ii. becomes employed as a teacher by a different board.
3. The teacher has submitted a request in writing to the appropriate supervisory officer for the new school or the new board, as the case may be, for an extension of his or her new teaching period.
4. The request for an extension was made after the start of the 19th month but before the expiry of the teacher's new teaching period.
5. The new teaching period has not been previously been extended under this section.

(2) A teacher's new teaching period may be extended under subsection (1) for up to 90 school days.

(3) Within 20 school days of receiving a request under paragraph 3 of subsection (1), the board mentioned under subparagraph 2 i or ii, as the case may be, shall provide notice in writing confirming the length of the extension,

- (a) to the teacher, and
- (b) to the principal of the school to which the teacher is assigned.

Rules, seconded teachers

20. (1) The following rules apply to every new teacher who is seconded to a teaching position in the Ontario public education system during his or her new teaching period:

1. The secondment does not affect the performance appraisal schedule for new teachers set out in section 277.29 of the Act.
2. The board from which the teacher is seconded must advise the board to which the teacher is seconded of the teacher's position in his or her new teaching period.
3. The board to which the teacher is seconded shall ensure that all performance appraisals of the teacher that are required during the period the teacher is on secondment to the board are carried out.

(2) If a performance appraisal carried out while a teacher is seconded to another board results in an overall performance rating that is not satisfactory, the following rules apply:

1. The secondment agreement terminates.
2. The performance appraisal is deemed not to have been conducted except for the purposes of terminating the secondment agreement.
3. The teacher resumes the position in his or her new teaching period that the teacher was in when he or she began the secondment and the 24-month period commences running from that position on the termination of the secondment agreement.
4. The board to which the teacher returns shall ensure a performance appraisal of the teacher is conducted within 60 school days after the teacher's return.

PART IV PROVINCIAL SCHOOLS AND DEMONSTRATION SCHOOLS

Provincial schools

21. (1) Part X.2 of the Act, Parts I, II and III of this Regulation, the other regulations under Part X.2 of the Act, and the guidelines, rules and policies under Part X.2 of the Act, apply to schools established or continued under subsection 13 (1), (2)

or (4) of the Act and to schools operated by a ministry under the *Provincial Schools Negotiations Act*, subject to such modifications as the circumstances require, including the modifications set out in this section.

(2) If a teacher employed by a board is seconded to a school referred to in subsection (1), subsection (1) does not apply to the teacher unless Part X.2 of the Act applies to the board.

(3) Despite subsection 277.15 (1) of the Act and subsection 1 (3) of this Regulation, in Part X.2 of the Act, Parts I, II and III of this Regulation, the other regulations under Part X.2 of the Act, and the guidelines, rules and policies under Part X.2 of the Act, unless the context requires otherwise,

- (a) a reference to a board is deemed to be a reference to the Provincial Schools Authority;
- (b) a reference to the designated bargaining agent for a teachers' bargaining unit is deemed to be a reference to the bargaining agent referred to in subsection 5 (4) of the *Provincial Schools Negotiations Act*;
- (c) a reference to a teacher is deemed to be a reference to a teacher as defined in section 1 of the *Provincial Schools Negotiations Act*, other than a continuing education teacher;
- (d) a reference to a teachers' bargaining unit is deemed to be a reference to the bargaining unit referred to in subsection 5 (2) of the *Provincial Schools Negotiations Act*;
- (e) a reference to a director of education for a board is deemed to be a reference to the chair of the Provincial Schools Authority;
- (f) a reference to a school council is deemed to be a reference to any body that acts in a capacity similar to a school council; and
- (g) a reference to a special education advisory committee is deemed to be a reference to any body that acts in a capacity similar to a special education advisory committee.

(4) Subsections 277.15 (2) and (3) and sections 277.24 to 277.27 of the Act have no application to the schools referred to in subsection (1).

(5) Subsection 3 (1) of this Regulation permits, but does not require, the Provincial Schools Authority to develop an annual written parent survey with respect to schools operated under the *Provincial Schools Negotiations Act* by a person or body other than the Ministry.

(6) Subsections (3) to (5) apply only for the purposes of subsection (1).

Demonstration schools

22. (1) Part X.2 of the Act, Parts I, II and III of this Regulation, the other regulations made under Part X.2 of the Act, and the guidelines, rules and policies under Part X.2 of the Act, apply to the demonstration schools established under clause 13 (5) (a) of the Act, subject to such modifications as the circumstances require, including the modifications set out in this section.

(2) If a teacher employed by a board is seconded to a school referred to in subsection (1), subsection (1) does not apply to the teacher unless Part X.2 of the Act applies to the board.

(3) Despite subsection 277.15 (1) of the Act and subsection 1 (3) of this Regulation, in Part X.2 of the Act, Parts I, II and III of this Regulation, the other regulations under Part X.2 of the Act, and the guidelines, rules and policies under Part X.2 of the Act, unless the context requires otherwise,

- (a) a reference to a board is deemed to be a reference to the Ministry;
- (b) a reference to a teacher employed by a board is deemed to be a reference to a teacher employed by a board and seconded to a school referred to in subsection (1);
- (c) a reference to a school council is deemed to be a reference to any body that acts in a capacity similar to a school council; and
- (d) a reference to a special education advisory committee is deemed to be a reference to the Learning Disabilities Association of Ontario.

(4) Clauses (3) (a) and (b) do not apply to the following provisions with respect to a teacher that is employed by a board and seconded to a school referred to in subsection (1):

- 1. Subsections 4 (1), (1.1) and (4) of this Regulation.
- 2. Section 277.29 of the Act.
- 3. Sections 277.42, 277.43 and 277.44 of the Act.
- 4. Section 2 of Ontario Regulation 98/02 (Teacher Learning Plans).

- (5) Despite subsections 277.15 (5) and (6) of the Act,
- (a) nothing in Part X.2 of the Act, or any regulation, guideline, policy or rule under that Part, shall be interpreted to limit rights otherwise available to the Ministry or a board relating to discipline of any teacher, including but not limited to rights relating to reassignment of duties, suspension or termination of the employment of the teacher, whether or not a performance appraisal process relating to the teacher is being conducted under that Part; and
 - (b) nothing in Part X.2 of the Act, or any regulation, guideline, policy or rule under it, shall be interpreted to limit the Ministry's ability or a board's ability to complete a performance appraisal of a teacher begun before that Part begins to apply to the Ministry, board or teacher, or to follow any process or take any action relating to that performance appraisal that the Ministry or board might have followed or taken but for that Part.
- (6) Despite subsection 277.18 (3) of the Act, in the circumstances described in clause 277.18 (1) (b) of the Act, where no other supervisory officer employed by the Ministry is able to perform the duty and exercise the power in a timely way, because of absence or for some other reason, a supervisory officer employed by a board may, by arrangement between the Ministry and the board, perform the duty and exercise the power.
- (7) Despite clauses 277.21 (1) (b) and (4) (b) of the Act, the Lieutenant Governor in Council may make regulations in relation to Part X.2 of the Act establishing rules to apply where a board seconds a teacher to the Ministry, and the regulations may assign responsibilities under that Part as between the seconding board and the Ministry.
- (8) Sections 277.24 to 277.27 and 277.35 to 277.41 of the Act have no application to the schools referred to in subsection (1).
- (9) Subsections (3) to (8) apply only for the purposes of subsection (1).

3. The title of the Schedule to the Regulation is revoked and the following substituted:

**SCHEDULE 1
COMPETENCIES FOR TEACHERS OTHER THAN NEW TEACHERS**

4. The Regulation is amended by adding the following Schedule:

**SCHEDULE 2
COMPETENCIES FOR NEW TEACHERS**

Commitment to pupils and pupil learning

New teachers:

- (a) demonstrate commitment to the well-being and development of all pupils,
- (b) are dedicated in their efforts to teach and support pupil learning and achievement,
- (c) treat all pupils equitably and with respect,
- (d) provide an environment for learning that encourages pupils to be problem-solvers, decision-makers, life-long learners and contributing members of a changing society,

Professional knowledge

New teachers:

- (e) know their subject matter, the Ontario curriculum and education-related legislation,

Teaching practice

New teachers:

- (f) use their professional knowledge and understanding of pupils, curriculum, legislation, teaching practices and classroom management strategies to promote the learning and achievement of their pupils,
- (g) communicate effectively with pupils, parents and colleagues,
- (h) conduct ongoing assessment of their pupils' progress, evaluate their achievement and report results to pupils and parents regularly.

5. This Regulation comes into force on the later of the following dates:

- 1. The date section 42 of the *Education Statute Law Amendment Act (Student Performance)*, 2006 comes into force.**
- 2. The date this Regulation is filed.**

RÈGLEMENT DE L'ONTARIO 264/06

pris en application de la

LOI SUR L'ÉDUCATION

pris le 7 juin 2006
déposé le 12 juin 2006
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modifiant le Règl. de l'Ont. 99/02
(Évaluation du rendement des enseignants)

Remarque : Le Règlement de l'Ontario 99/02 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des règlements qui se trouve sur le site www.lois-en-ligne.gouv.on.ca.

1. L'article 1 du Règlement de l'Ontario 99/02 est modifié par adjonction du paragraphe suivant :

(4) La définition qui suit s'applique au présent règlement.

«observation en classe» S'entend en outre de l'observation d'un enseignant dans son milieu d'enseignement habituel s'il ne s'agit pas d'une salle de classe.

2. Les articles 2 à 9, l'intertitre précédant l'article 10 ainsi que les articles 10 et 11 du Règlement sont abrogés et remplacés par ce qui suit :

PARTIE II ENSEIGNANTS AUTRES QUE LES NOUVEAUX ENSEIGNANTS

Application

2. La présente partie s'applique à l'égard des enseignants, à l'exception des nouveaux enseignants, et toute mention d'un enseignant exclut un nouvel enseignant.

Observations des parents et des élèves

3. (1) Chaque année, chaque conseil élabore, en ce qui concerne ses enseignants, un sondage écrit des parents et un sondage écrit des élèves en consultation avec les conseils d'école et les directeurs d'école des écoles qui relèvent du conseil, les comités consultatifs pour l'enfance en difficulté et les parents, élèves et enseignants qui sont intéressés.

(2) Le sondage des parents sollicite les observations du père ou de la mère à propos de chaque enseignant de chacun de ses enfants ainsi que son niveau de satisfaction à l'égard de la communication entre lui et l'enseignant au sujet de l'apprentissage et du cheminement de l'enfant.

(3) Le sondage des élèves sollicite les observations de chaque élève qui suit un cours de onzième ou douzième année ou un cours préuniversitaire de l'Ontario dans une école qui relève du conseil, sur les points suivants :

- a) la communication entre l'élève et chacun des enseignants de ces cours;
- b) la capacité de chacun des enseignants de favoriser concrètement l'apprentissage des élèves.

(4) Les réponses données dans le cadre des sondages des parents et des élèves :

- a) ne doivent pas être utilisées à d'autres fins que l'évaluation du rendement de l'enseignant visé par les réponses;
- b) ne doivent pas être divulguées à d'autres personnes que le directeur d'école, l'agent de supervision compétent et le conseil compétent, sauf dans les cas permis par le présent règlement.

(5) À la demande d'un des parents ou de l'élève, le directeur d'école supprime tous les mots et les noms qui pourraient permettre leur identification d'un document où sont consignées leurs observations, notamment dans les sondages des parents et les sondages des élèves, avant la remise du document ou d'une copie à l'enseignant.

(6) Le directeur d'école ne doit pas divulguer à un enseignant les observations des parents ou des élèves qui concernent un autre enseignant.

Cycle d'évaluation

4. (1) Le cycle d'évaluation des enseignants est de trois années consécutives.

(2) Chaque conseil fixe les années d'évaluation des enseignants de façon à ce que chacun d'eux en ait une par cycle d'évaluation pendant lequel il l'emploie.

(3) La première année pendant laquelle un conseil emploie un enseignant est une année d'évaluation.

(4) Le directeur de l'école avise l'enseignant, au plus tard 20 jours de classe après qu'il a commencé à enseigner pendant une de ses années d'évaluation, qu'il s'agit bien d'une année d'évaluation.

(5) Le conseil veille à ce que le rendement de chaque enseignant soit évalué au moins deux fois pendant chacune de ses années d'évaluation.

(6) Une fois la première année d'évaluation passée, les années d'évaluation suivantes d'un enseignant employé par un conseil sont précédées, tant qu'il est employé par ce conseil, de deux années qui ne sont pas de telles années.

Rôle du directeur d'école

5. (1) Les évaluations du rendement prévues à la présente partie sont effectuées par le directeur de l'école où l'enseignant est affecté pendant l'année d'évaluation fixée pour lui.

(2) Le directeur d'école peut effectuer les évaluations du rendement d'un enseignant conformément à la présente partie aux intervalles qu'il estime appropriés, sous réserve des exigences de la partie X.2 de la Loi ou des règlements pris, des lignes directrices données ou des règles et politiques établies en application de celle-ci.

(3) Le directeur d'école avise l'enseignant par écrit de la note établie pour chaque évaluation du rendement effectuée en application du présent article.

Évaluations supplémentaires

6. (1) Le directeur d'école peut effectuer d'autres évaluations du rendement d'un enseignant affecté à l'école, en plus de celles qu'exige l'article 4, s'il l'estime souhaitable compte tenu de circonstances liées au rendement de l'enseignant.

(2) Sous réserve du paragraphe (3) et sauf pendant l'année d'évaluation d'un enseignant, celui-ci peut demander à subir d'autres évaluations de son rendement, en plus de celles qu'exige l'article 4, auquel cas le directeur de l'école à laquelle il est affecté les effectue.

(3) Le directeur d'école peut refuser d'effectuer une évaluation du rendement demandée en vertu du paragraphe (2) s'il estime qu'elle n'aura vraisemblablement pas pour effet d'améliorer le rendement de l'enseignant.

(4) Le directeur d'école avise l'enseignant par écrit de la note établie pour chaque évaluation du rendement effectuée en application du présent article.

Échelle de notation

7. Le directeur d'école attribue à l'enseignant une des notes globales suivantes, selon les résultats de l'évaluation du rendement :

1. Exemplaire.
2. Bon.
3. Satisfaisant.
4. Insatisfaisant.

Évaluation du rendement

8. (1) L'évaluation du rendement d'un enseignant remplit les exigences suivantes :

1. L'enseignant est évalué en ce qui concerne les compétences indiquées à l'annexe 1 et celles que prévoit le conseil compétent en vertu du paragraphe 277.32 (1) de la Loi.
2. L'évaluation du rendement comprend les étapes énumérées au paragraphe (2).
3. L'évaluation du rendement est effectuée conformément aux lignes directrices que donne le ministre et aux politiques, règles, normes, méthodes, processus et étapes supplémentaires établis et délais supplémentaires fixés par le conseil compétent.

(2) L'évaluation du rendement comprend les étapes suivantes :

1. Une réunion entre le directeur d'école et l'enseignant en vue de préparer l'observation en classe de ce dernier et de repasser son plan de perfectionnement actuel.
2. La constitution, par le directeur d'école et l'enseignant, d'un profil préalable à l'observation rédigé selon la formule qu'approuve le ministre.
3. L'observation en classe afin d'évaluer les compétences de l'enseignant, notamment permettre au directeur d'école d'établir si l'enseignant dispose ou non des connaissances précisées dans les lignes directrices données par le ministre en vertu du paragraphe 277.33 (1) de la Loi et s'il utilise ou non les méthodes qui y sont précisées.
4. Une réunion entre le directeur d'école et l'enseignant à la suite de l'observation en classe qui a les objectifs suivants :
 - i. passer en revue les résultats de l'observation,

- ii. discuter des autres renseignements pertinents pour l'évaluation des compétences de l'enseignant par le directeur d'école, y compris les observations des parents et des élèves concernant l'enseignant,
 - iii. terminer le rapport postérieur à l'observation rédigé selon la formule qu'approuve le ministre,
 - iv. mettre au point le plan de perfectionnement de l'enseignant pour l'année courante.
5. L'occasion, pour l'enseignant, d'examiner les observations des parents, des élèves ou des deux et d'y répondre à l'intention du directeur d'école dans un délai que ce dernier juge raisonnable dans les circonstances.
 6. La prise en compte, par le directeur d'école, de toute réponse faite par l'enseignant en application de la disposition 5.
 7. La préparation, par le directeur d'école, d'un rapport récapitulatif sur l'évaluation du rendement qui est rédigé selon la formule qu'approuve le ministre et qui contient les éléments suivants :
 - i. l'évaluation de l'enseignant par le directeur d'école,
 - ii. la note globale que le directeur d'école attribue à l'enseignant en ce qui concerne son rendement,
 - iii. l'explication de la note par le directeur d'école.
 8. La remise à l'enseignant d'une copie du rapport récapitulatif, signée par le directeur d'école, au plus tard 20 jours de classe après l'observation en classe.
 9. La signature par l'enseignant d'une copie du rapport récapitulatif afin d'en accuser réception.
 10. La remise au conseil compétent d'une copie du rapport récapitulatif signée à la fois par le directeur d'école et l'enseignant et du plan de perfectionnement de l'enseignant pour l'année.
- (3) À la demande de l'un ou de l'autre, l'enseignant et le directeur d'école se réunissent une fois que l'enseignant a reçu une copie du rapport récapitulatif afin de discuter de l'évaluation du rendement.

Dossiers

9. Chaque conseil conserve les dossiers constitués en application de la partie X.2 de la Loi pendant au moins six ans à compter de la date du rapport récapitulatif de l'évaluation du rendement auquel ils se rapportent.

RÈGLES PARTICULIÈRES

Évaluations du rendement : un seul semestre d'enseignement

10. Si un enseignant n'enseigne que pendant un semestre pendant une de ses années d'évaluation, toutes les évaluations du rendement de l'enseignant exigées pendant cette année d'évaluation sont effectuées au cours de ce semestre.

Périodes exclues du cycle d'évaluation

11. (1) Le cycle d'évaluation de trois ans visé au paragraphe 4 (1) exclut les périodes suivantes :
 1. La période pendant laquelle l'enseignant n'enseigne à aucun moment dans une école qui relève du conseil.
 2. La période d'une année d'évaluation du cycle de trois ans pendant laquelle l'enseignant est en congé prolongé approuvé par le conseil.
 3. La période pendant laquelle l'enseignant est en détachement à un poste de non-enseignant.
 4. La période pendant laquelle l'enseignant est en détachement à un poste d'enseignant en dehors du système scolaire public de l'Ontario.
- (2) Les évaluations du rendement qui seraient normalement effectuées au cours de la période pendant laquelle l'enseignant est en congé prolongé pendant tout ou partie d'une de ses années d'évaluation sont effectuées au plus tard 60 jours de classe après le retour de congé de l'enseignant.

Règles : enseignants détachés

12. (1) Les règles suivantes s'appliquent à chaque enseignant qui est détaché à un poste d'enseignant au sein du système scolaire public de l'Ontario au cours d'un cycle de trois ans :
 1. L'année qui est une année d'évaluation de l'enseignant pendant le cycle ne change pas.
 2. Le conseil qui détache l'enseignant avise celui auprès duquel l'enseignant est détaché de la place qu'il occupe dans le cycle de trois ans.
 3. Le conseil auprès duquel l'enseignant est détaché veille à ce que toutes les évaluations du rendement de l'enseignant qui sont exigées pendant la période du détachement soient effectuées.
- (2) Si une évaluation du rendement effectuée pendant le détachement auprès d'un autre conseil donne lieu à une note globale qui est insatisfaisante, les règles suivantes s'appliquent :

1. L'entente de détachement est résiliée.
2. L'évaluation du rendement est réputée n'avoir été effectuée qu'aux fins de la résiliation de l'entente de détachement.
3. Le cycle de trois ans de l'enseignant reprend à la résiliation de l'entente de détachement et la première année du cycle est une année d'évaluation.
4. Le conseil auquel l'enseignant retourne veille à ce qu'une évaluation du rendement soit effectuée au plus tard 60 jours de classe après son retour.

PARTIE III NOUVEAUX ENSEIGNANTS

Application

13. La présente partie s'applique à l'égard des nouveaux enseignants et toute mention d'un enseignant s'entend d'un nouvel enseignant.

Observations des parents et des élèves

14. (1) Chaque année, chaque conseil élabore, en ce qui concerne ses enseignants, un sondage écrit des parents et un sondage écrit des élèves en consultation avec les conseils d'école et les directeurs d'école des écoles qui relèvent du conseil, les comités consultatifs pour l'enfance en difficulté et les parents, élèves et enseignants qui sont intéressés.

(2) Le sondage des parents sollicite les observations du père ou de la mère à propos de chaque enseignant de chacun de ses enfants ainsi que son niveau de satisfaction à l'égard de la communication entre lui et l'enseignant au sujet de l'apprentissage et du cheminement de l'enfant.

(3) Le sondage des élèves sollicite les observations de chaque élève qui suit un cours de onzième ou douzième année ou un cours préuniversitaire de l'Ontario dans une école qui relève du conseil, sur les points suivants :

- a) la communication entre l'élève et chacun des enseignants de ces cours;
- b) la capacité de chacun des enseignants de favoriser concrètement l'apprentissage des élèves.

(4) Les réponses données dans le cadre des sondages des parents et des élèves :

- a) ne doivent pas être utilisées à d'autres fins que l'évaluation du rendement de l'enseignant visé par les réponses;
- b) ne doivent pas être divulguées à d'autres personnes que le directeur d'école, l'agent de supervision compétent et le conseil compétent, sauf dans les cas permis par le présent règlement.

(5) À la demande d'un des parents ou de l'élève, le directeur d'école supprime tous les mots et les noms qui pourraient permettre leur identification d'un document où sont consignées leurs observations, notamment dans les sondages des parents et les sondages des élèves, avant la remise du document ou d'une copie à l'enseignant.

(6) Le directeur d'école ne doit pas divulguer à un enseignant les observations des parents ou des élèves qui concernent un autre enseignant.

Échelle de notation

15. (1) Le directeur d'école attribue à tout nouvel enseignant l'une des notes suivantes, selon les résultats de la première évaluation du rendement effectuée dans les 12 premiers mois qui suivent la date à laquelle il a été engagé en tant qu'enseignant :

1. Satisfaisant.
2. À améliorer.

(2) Le directeur d'école attribue au nouvel enseignant qui a reçu une note «Satisfaisant» lors de la première évaluation l'une des notes suivantes lors de la deuxième évaluation effectuée au cours des 12 premiers mois :

1. Satisfaisant.
2. À améliorer.

(3) Le directeur d'école attribue au nouvel enseignant qui a reçu une note «À améliorer» lors de la première évaluation l'une des notes suivantes lors de la deuxième évaluation effectuée au cours des 12 premiers mois :

1. Satisfaisant.
2. Insatisfaisant.

(4) Le directeur d'école attribue au nouvel enseignant l'une des notes suivantes lors des évaluations supplémentaires que prévoit la Loi :

1. Satisfaisant.

2. Insatisfaisant.

(5) La note «À améliorer», comme la note «Insatisfaisant», est considérée comme n'étant pas une note «Satisfaisant» pour l'application de la partie X.2 de la Loi.

Évaluation du rendement

16. (1) L'évaluation du rendement d'un nouvel enseignant remplit les exigences suivantes :

1. L'enseignant est évalué en ce qui concerne les compétences indiquées à l'annexe 2 et celles que prévoit le conseil compétent en vertu du paragraphe 277.32 (1) de la Loi.
2. L'évaluation du rendement comprend l'observation en classe afin d'évaluer les compétences de l'enseignant, notamment permettre au directeur d'école d'établir si l'enseignant dispose ou non des connaissances précisées dans les lignes directrices données par le ministre en vertu du paragraphe 277.33 (1) de la Loi et s'il utilise ou non les méthodes qui y sont précisées.
3. L'évaluation du rendement est effectuée conformément aux lignes directrices que donne le ministre et aux politiques, règles, normes, méthodes, processus et étapes supplémentaires établis et délais supplémentaires fixés par le conseil compétent.

(2) L'évaluation du rendement d'un nouvel enseignant comprend les étapes suivantes :

1. Une réunion entre le directeur d'école et l'enseignant en vue de préparer l'observation en classe de ce dernier.
2. L'observation en classe afin d'évaluer les compétences de l'enseignant, notamment permettre au directeur d'école d'établir si l'enseignant dispose ou non des connaissances précisées dans les lignes directrices données par le ministre en vertu du paragraphe 277.33 (1) de la Loi et s'il utilise ou non les méthodes qui y sont précisées.
3. Une réunion entre le directeur d'école et l'enseignant à la suite de l'observation en classe qui a les objectifs suivants :
 - i. passer en revue les résultats de l'observation,
 - ii. discuter des autres renseignements pertinents pour l'évaluation des compétences de l'enseignant par le directeur d'école, y compris les observations des parents et des élèves concernant l'enseignant, ainsi que sa participation au programme d'insertion professionnelle du nouveau personnel enseignant.
4. La préparation, par le directeur d'école, d'un rapport récapitulatif sur l'évaluation du rendement qui est rédigé selon la formule qu'approuve le ministre et qui contient les éléments suivants :
 - i. l'évaluation de l'enseignant par le directeur d'école,
 - ii. la note globale que le directeur d'école attribue à l'enseignant en ce qui concerne son rendement,
 - iii. l'explication de la note par le directeur d'école.
5. La remise à l'enseignant d'une copie du rapport récapitulatif, signée par le directeur d'école, au plus tard 20 jours de classe après l'observation en classe.
6. La signature par l'enseignant d'une copie du rapport récapitulatif afin d'en accuser réception.
7. La remise au conseil compétent d'une copie du rapport récapitulatif signée à la fois par le directeur d'école et l'enseignant.

(3) À la demande de l'un ou de l'autre, l'enseignant et le directeur d'école se réunissent une fois que l'enseignant a reçu une copie du rapport récapitulatif afin de discuter de l'évaluation du rendement.

Dossiers

17. Chaque conseil conserve les dossiers constitués en application de la partie X.2 de la Loi pendant au moins six ans à compter de la date du rapport récapitulatif de l'évaluation du rendement auquel ils se rapportent.

RÈGLES PARTICULIÈRES

Périodes exclues de la nouvelle période d'enseignement

18. (1) La nouvelle période d'enseignement d'un enseignant exclut les périodes suivantes :

1. La période pendant laquelle l'enseignant n'enseigne à aucun moment dans une école qui relève du conseil.
2. La période pendant laquelle l'enseignant est en congé prolongé approuvé par le conseil.
3. La période pendant laquelle l'enseignant est en détachement à un poste de non-enseignant.
4. La période pendant laquelle l'enseignant est en détachement à un poste d'enseignant en dehors du système scolaire public de l'Ontario.

(2) Les évaluations du rendement qui seraient normalement effectuées au cours de la période pendant laquelle l'enseignant est en congé prolongé approuvé par le conseil sont effectuées au plus tard 60 jours de classe après le retour de congé de l'enseignant.

Prolongation du cycle d'évaluation

19. (1) Le conseil prolonge la nouvelle période d'enseignement d'un enseignant si toutes les conditions suivantes sont réunies :

1. L'enseignant a eu trois évaluations du rendement au cours des 18 premiers mois de la nouvelle période d'enseignement et a reçu une note «Satisfaisant» lors de l'une de ces évaluations.
2. Après le début du 19^e mois mais avant l'expiration de sa nouvelle période d'enseignement :
 - i. soit l'enseignant commence à enseigner dans une école différente qui relève du même conseil,
 - ii. soit l'enseignant est employé en cette qualité par un autre conseil.
3. L'enseignant a demandé par écrit à l'agent de supervision compétent de la nouvelle école ou du nouveau conseil, selon le cas, de prolonger sa nouvelle période d'enseignement.
4. L'enseignement a présenté sa demande de prolongation après le début du 19^e mois mais avant l'expiration de sa nouvelle période d'enseignement.
5. La nouvelle période d'enseignement n'a pas déjà été prolongée en vertu du présent article.

(2) La nouvelle période d'enseignement d'un enseignant peut être prolongée en vertu du paragraphe (1) pour une durée maximale de 90 jours de classe.

(3) Le conseil visé à la sous-disposition 2 i ou ii, selon le cas, confirme par écrit la durée de la prolongation aux deux personnes suivantes, dans les 20 jours de classe qui suivent la réception de la demande visée à la disposition 3 du paragraphe (1) :

- a) l'enseignant;
- b) le directeur de l'école où est affecté l'enseignant.

Règles : enseignants détachés

20. (1) Les règles suivantes s'appliquent à chaque nouvel enseignant qui est détaché à un poste d'enseignant au sein du système scolaire public de l'Ontario pendant sa nouvelle période d'enseignement :

1. Le détachement n'a aucune incidence sur les évaluations du rendement des nouveaux enseignants qui sont prévues à l'article 277.29 de la Loi.
2. Le conseil qui détache l'enseignant avise celui auprès duquel l'enseignant est détaché de la place qu'il occupe dans sa nouvelle période d'enseignement.
3. Le conseil auprès duquel l'enseignant est détaché veille à ce que toutes les évaluations du rendement de l'enseignant qui sont exigées pendant la période du détachement soient effectuées.

(2) Si une évaluation du rendement effectuée pendant le détachement auprès d'un autre conseil donne lieu à une note globale qui n'est pas satisfaisante, les règles suivantes s'appliquent :

1. L'entente de détachement est résiliée.
2. L'évaluation du rendement est réputée n'avoir été effectuée qu'aux fins de la résiliation de l'entente de détachement.
3. L'enseignant revient, à l'égard de sa nouvelle période d'enseignement, à la place qu'il occupait au début de son détachement et cette période reprend à la résiliation de l'entente de détachement.
4. Le conseil auquel l'enseignant retourne veille à ce qu'une évaluation du rendement soit effectuée au plus tard 60 jours de classe après son retour.

PARTIE IV ÉCOLES PROVINCIALES ET ÉCOLES D'APPLICATION

Écoles provinciales

21. (1) La partie X.2 de la Loi, les parties I, II et III du présent règlement, les autres règlements pris en application de la partie X.2 de la Loi et les lignes directrices données et les règles et politiques établies en application de celle-ci s'appliquent aux écoles ouvertes ou maintenues en vertu du paragraphe 13 (1), (2) ou (4) de la Loi et aux écoles qui relèvent d'un ministère en application de la *Loi sur la négociation collective dans les écoles provinciales*, sous réserve des adaptations nécessaires, y compris les adaptations énoncées au présent article.

(2) Si un enseignant employé par un conseil est détaché auprès d'une école visée au paragraphe (1), ce dernier ne s'applique à l'enseignant que si la partie X.2 de la Loi s'applique au conseil.

(3) Malgré le paragraphe 277.15 (1) de la Loi et le paragraphe 1 (3) du présent règlement, dans la partie X.2 de la Loi, les parties I, II et III du présent règlement, les autres règlements pris en application de la partie X.2 de la Loi et les lignes directrices données et les règles et politiques établies en application de celle-ci, sauf indication contraire du contexte :

- a) la mention d'un conseil est réputée une mention de l'Administration des écoles provinciales;
- b) la mention de l'agent négociateur désigné d'une unité de négociation des enseignants est réputée une mention de l'agent négociateur visé au paragraphe 5 (4) de la *Loi sur la négociation collective dans les écoles provinciales*;
- c) la mention d'un enseignant est réputée une mention d'un enseignant au sens de l'article 1 de la *Loi sur la négociation collective dans les écoles provinciales*, exception faite d'un enseignant de l'éducation permanente;
- d) la mention d'une unité de négociation des enseignants est réputée une mention de l'unité de négociation visée au paragraphe 5 (2) de la *Loi sur la négociation collective dans les écoles provinciales*;
- e) la mention d'un directeur de l'éducation d'un conseil est réputée une mention du président de l'Administration des écoles provinciales;
- f) la mention d'un conseil d'école est réputée une mention d'un organisme qui remplit des fonctions analogues à celles d'un tel conseil;
- g) la mention d'un comité consultatif pour l'enfance en difficulté est réputée une mention d'un organisme qui remplit des fonctions analogues à celles d'un tel comité.

(4) Les paragraphes 277.15 (2) et (3) et les articles 277.24 à 277.27 de la Loi ne s'appliquent pas aux écoles visées au paragraphe (1).

(5) Le paragraphe 3 (1) du présent règlement autorise, sans l'exiger, l'élaboration annuelle, par l'Administration des écoles provinciales, d'un sondage écrit des parents en ce qui concerne les écoles que fait fonctionner une personne ou un organisme autre que le ministère en application de la *Loi sur la négociation collective dans les écoles provinciales*.

(6) Les paragraphes (3) à (5) s'appliquent uniquement dans le cadre du paragraphe (1).

Écoles d'application

22. (1) La partie X.2 de la Loi, les parties I, II et III du présent règlement, les autres règlements pris en application de la partie X.2 de la Loi et les lignes directrices données et les règles et politiques établies en application de celle-ci s'appliquent aux écoles d'application ouvertes en vertu de l'alinéa 13 (5) a) de la Loi, sous réserve des adaptations nécessaires, y compris les adaptations énoncées au présent article.

(2) Si un enseignant employé par un conseil est détaché auprès d'une école visée au paragraphe (1), ce dernier ne s'applique à l'enseignant que si la partie X.2 de la Loi s'applique au conseil.

(3) Malgré le paragraphe 277.15 (1) de la Loi et le paragraphe 1 (3) du présent règlement, dans la partie X.2 de la Loi, les parties I, II et III du présent règlement, les autres règlements pris en application de la partie X.2 de la Loi et les lignes directrices données et les règles et politiques établies en application de celle-ci, sauf indication contraire du contexte :

- a) la mention d'un conseil est réputée une mention du ministère;
- b) la mention d'un enseignant employé par un conseil est réputée une mention d'un enseignant employé par un conseil et détaché auprès d'une école visée au paragraphe (1),
- c) la mention d'un conseil d'école est réputée une mention d'un organisme qui remplit des fonctions analogues à celles d'un tel conseil;
- d) la mention d'un comité consultatif pour l'enfance en difficulté est réputée une mention de l'Association Troubles d'Apprentissage Ontario.

(4) Les alinéas (3) a) et b) ne s'appliquent pas aux dispositions suivantes à l'égard d'un enseignant qui est employé par un conseil et détaché auprès d'une école visée au paragraphe (1) :

- 1. Les paragraphes 4 (1), (1.1) et (4) du présent règlement.
- 2. L'article 277.29 de la Loi.
- 3. Les articles 277.42, 277.43 et 277.44 de la Loi.
- 4. L'article 2 du Règlement de l'Ontario 98/02 (Plans de perfectionnement des enseignants).

(5) Malgré les paragraphes 277.15 (5) et (6) de la Loi :

- a) ni la partie X.2 de la Loi, ni les règlements pris, les lignes directrices données et les règles et politiques établies en application de celle-ci n'ont pour effet de limiter les droits dont jouit par ailleurs le ministère ou un conseil en ce qui

concerne les mesures disciplinaires qu'il peut imposer à un enseignant, notamment les droits concernant son affectation à d'autres fonctions, sa suspension ou la cessation de son emploi, qu'une évaluation du rendement le concernant soit ou non effectuée en application de cette partie;

- b) ni la partie X.2 de la Loi, ni les règlements pris, les lignes directrices données et les règles et politiques établies en application de celle-ci n'ont pour effet de limiter la capacité du ministère ou d'un conseil d'achever une évaluation du rendement d'un enseignant commencée avant que cette partie ne devienne applicable à ce ministère, à ce conseil ou à cet enseignant, ou de suivre le processus qu'il aurait suivi ou de prendre les mesures qu'il aurait prises en ce qui concerne cette évaluation du rendement en l'absence de cette partie.

(6) Malgré le paragraphe 277.18 (3) de la Loi, dans les circonstances visées à l'alinéa 277.18 (1) b) de la Loi, si aucun autre agent de supervision employé par le ministère n'est en mesure d'exercer les fonctions et pouvoirs de façon opportune, pour cause d'absence ou autre, un agent de supervision employé par un conseil peut les exercer par arrangement entre le ministère et le conseil.

(7) Malgré les alinéas 277.21 (1) b) et (4) b) de la Loi, le lieutenant-gouverneur en conseil peut, par règlement concernant la partie X.2 de la Loi, établir des règles qui s'appliquent si un conseil détache un enseignant auprès du ministère et répartir les responsabilités prévues par cette partie entre le conseil qui détache l'enseignant et le ministère.

(8) Les articles 277.24 à 277.27 et 277.35 à 277.41 de la Loi ne s'appliquent pas aux écoles visées au paragraphe (1).

(9) Les paragraphes (3) à (8) s'appliquent uniquement dans le cadre du paragraphe (1).

3. Le titre de l'annexe du Règlement est abrogé et remplacé par ce qui suit :

ANNEXE 1 COMPÉTENCES DE L'ENSEIGNANT AUTRE QUE LE NOUVEL ENSEIGNANT

4. Le Règlement est modifié par adjonction de l'annexe suivante :

ANNEXE 2 COMPÉTENCES DU NOUVEL ENSEIGNANT

Engagement envers les élèves et leur apprentissage

Les nouveaux enseignants :

- a) se préoccupent du bien-être et du développement de tous les élèves,
- b) font preuve de dévouement en matière d'enseignement et favorisent l'apprentissage et le rendement des élèves,
- c) traitent les élèves équitablement et avec justice et respect,
- d) assurent un milieu d'apprentissage qui encourage les élèves à résoudre des problèmes, à prendre des décisions, à apprendre la vie durant et à devenir des membres à part entière au sein de la société en évolution,

Connaissances professionnelles

Les nouveaux enseignants :

- e) connaissent la matière à enseigner, le programme d'études de l'Ontario et la législation liée à l'éducation,

Exercice de la profession

Les nouveaux enseignants :

- f) appliquent leurs connaissances professionnelles ainsi que leur compréhension des élèves, du programme d'études, de la législation, des méthodes d'enseignement et des stratégies de gestion de la salle de classe pour favoriser l'apprentissage et le rendement des élèves,
- g) communiquent efficacement avec les élèves, les parents et les collègues,
- h) effectuent une évaluation continue du cheminement des élèves, évaluent leur rendement et communiquent régulièrement les résultats aux élèves et aux parents.

5. Le présent règlement entre en vigueur à celle des dates suivantes qui est postérieure à l'autre :

1. La date d'entrée en vigueur de l'article 42 de la *Loi de 2006 modifiant des lois en ce qui concerne l'éducation (rendement des élèves)*.
2. La date de dépôt du présent règlement.

ONTARIO REGULATION 265/06

made under the

EDUCATION ACT

Made: May 1, 2006
 Approved: June 7, 2006
 Filed: June 12, 2006
 Published on e-Laws: June 14, 2006
 Printed in *The Ontario Gazette*: July 1, 2006

Amending O. Reg. 98/02
 (Teacher Learning Plans)

Note: Ontario Regulation 98/02 has not previously been amended.

1. Subsection 2 (1) of Ontario Regulation 98/02 is amended by striking out “every teacher” and substituting “every teacher, other than a new teacher,”.

RÈGLEMENT DE L'ONTARIO 265/06

pris en application de la

LOI SUR L'ÉDUCATION

pris le 1^{er} mai 2006
 approuvé le 7 juin 2006
 déposé le 12 juin 2006
 publié sur le site Lois-en-ligne le 14 juin 2006
 imprimé dans la *Gazette de l'Ontario* le 1^{er} juillet 2006

modifiant le Règl. de l'Ont. 98/02
 (Plans de perfectionnement des enseignants)

Remarque : Le Règlement de l'Ontario 98/02 n'a pas été modifié antérieurement.

1. Le paragraphe 2 (1) du Règlement de l'Ontario 98/02 est modifié par substitution de «chaque enseignant qu'il emploie, à l'exception d'un nouvel enseignant,» à «chaque enseignant qu'il emploie».

Made by:
 Pris par :

La ministre de l'Éducation,

SANDRA PUPATELLO
Minister of Education

Date made: May 1, 2006.
 Pris le : 1^{er} mai 2006.

26/06

ONTARIO REGULATION 266/06

made under the

EDUCATION ACT

Made: June 7, 2006

Filed: June 12, 2006

Published on e-Laws: June 14, 2006

Printed in *The Ontario Gazette*: July 1, 2006**NEW TEACHER INDUCTION PROGRAM****Elements**

1. (1) This Regulation sets out, for the purposes of paragraph 2 of subsection 270 (1) of the Act, the elements of the new teacher induction program in which a teacher is required to participate.

(2) Every new teacher shall participate in the element of the new teacher induction program set out in paragraph 1 of subsection 268 (2) of the Act.

(3) The following new teachers shall participate in the elements of the new teacher induction program set out in paragraphs 2 and 3 of subsection 268 (2) of the Act:

1. New teachers who have never previously taught in any jurisdiction.
2. New teachers who have previously taught only as occasional teachers.

Commencement

2. This Regulation comes into force on the later of the following dates:

1. The date section 37 of the *Education Statute Law Amendment Act (Student Performance)*, 2006 comes into force.
2. The date this Regulation is filed.

RÈGLEMENT DE L'ONTARIO 266/06

pris en application de la

LOI SUR L'ÉDUCATION

pris le 7 juin 2006

déposé le 12 juin 2006

publié sur le site Lois-en-ligne le 14 juin 2006
imprimé dans la *Gazette de l'Ontario* le 1^{er} juillet 2006**PROGRAMME D'INSERTION PROFESSIONNELLE DU NOUVEAU PERSONNEL
ENSEIGNANT****Volets**

1. (1) Le présent règlement énonce, pour l'application de la disposition 2 du paragraphe 270 (1) de la Loi, les volets du programme d'insertion professionnelle du nouveau personnel enseignant auxquels l'enseignant est tenu de participer.

(2) Chaque nouvel enseignant participe au volet du programme d'insertion professionnelle du nouveau personnel enseignant énoncé à la disposition 1 du paragraphe 268 (2) de la Loi.

(3) Les nouveaux enseignants suivants participent aux volets du programme d'insertion professionnelle du nouveau personnel enseignant énoncés aux dispositions 2 et 3 du paragraphe 268 (2) de la Loi :

1. Les nouveaux enseignants qui n'ont jamais enseigné auparavant dans n'importe quel ressort.
2. Les nouveaux enseignants qui ont déjà enseigné mais seulement à titre d'enseignants suppléants.

Entrée en vigueur

2. Le présent règlement entre en vigueur à celle des dates suivantes qui est postérieure à l'autre :

1. La date d'entrée en vigueur de l'article 37 de la *Loi de 2006 modifiant des lois en ce qui concerne l'éducation (rendement des élèves)*.
2. La date de dépôt du présent règlement.

26/06

ONTARIO REGULATION 267/06

made under the

EDUCATION ACT

Made: June 7, 2006

Filed: June 12, 2006

Published on e-Laws: June 14, 2006

Printed in *The Ontario Gazette*: July 1, 2006

Revoking O. Reg. 100/02

(Teacher Qualifying Test)

Note: Ontario Regulation 100/02 has previously been amended. Those amendments are listed in the Table of Regulations ... Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Ontario Regulation 100/02 is revoked.

RÈGLEMENT DE L'ONTARIO 267/06

pris en application de la

LOI SUR L'ÉDUCATION

pris le 7 juin 2006

déposé le 12 juin 2006

publié sur le site Lois-en-ligne le 14 juin 2006

imprimé dans la *Gazette de l'Ontario* le 1^{er} juillet 2006

abrogeant le Règl. de l'Ont. 100/02

(Examen d'aptitude à l'intention des enseignants)

Remarque: Le Règlement de l'Ontario 100/02 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des règlements qui se trouve sur le site www.lois-en-ligne.gouv.on.ca.

1. Le Règlement de l'Ontario 100/02 est abrogé.

26/06

ONTARIO REGULATION 268/06

made under the

EDUCATION ACT

Made: June 7, 2006

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Amending O. Reg. 463/97

(Electronic Meetings)

Note: Ontario Regulation 463/97 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. (1) Paragraph 1 of subsection 3 (1) of Ontario Regulation 463/97 is amended by striking out “or pupil representative” and “or representative” and substituting in each case “or student trustee”.

(2) Paragraph 2 of subsection 3 (1) of the Regulation is amended by striking out “representative” and substituting “student trustee”.

(3) Subsection 3 (2) of the Regulation is revoked and the following substituted:

(2) The policy shall ensure that student trustees who are participating through electronic means do not participate in any proceedings that are closed to the public under clause 207 (2) (b) of the Act.

2. This Regulation comes into force on the later of the following dates:

1. The date section 6 of the *Education Statute Law Amendment Act (Student Performance)*, 2006 comes into force.
2. The date this Regulation is filed.

RÈGLEMENT DE L'ONTARIO 268/06

pris en application de la

LOI SUR L'ÉDUCATION

pris le 7 juin 2006

déposé le 12 juin 2006

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imprimé dans la *Gazette de l'Ontario* le 1^{er} juillet 2006

modifiant le Règl. de l'Ont. 463/97

(Réunions électroniques)

Remarque : Le Règlement de l'Ontario 463/97 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des règlements qui se trouve sur le site www.lois-en-ligne.gouv.on.ca.

1. (1) La disposition 1 du paragraphe 3 (1) du Règlement de l'Ontario 463/97 est modifiée par substitution de «à l'élève conseiller» à «au représentant des élèves».

(2) La disposition 2 du paragraphe 3 (1) du Règlement est modifiée par substitution de «à l'élève conseiller» à «au représentant».

(3) Le paragraphe 3 (2) du Règlement est abrogé et remplacé par ce qui suit :

(2) La politique fait en sorte que les élèves conseillers qui participent à une réunion par des moyens électroniques ne participent à aucune instance qui se tient à huis clos en vertu de l'alinéa 207 (2) b) de la Loi.

2. Le présent règlement entre en vigueur à celle des dates suivantes qui est postérieure à l'autre :

1. La date d'entrée en vigueur de l'article 6 de la *Loi de 2006 modifiant des lois en ce qui concerne l'éducation (rendement des élèves)*.
2. La date de dépôt du présent règlement.

ONTARIO REGULATION 269/06

made under the

ONTARIO COLLEGE OF TEACHERS ACT, 1996

Made: June 2, 2006
Approved: June 7, 2006
Filed: June 12, 2006
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Printed in *The Ontario Gazette*: July 1, 2006

Amending O. Reg. 184/97
(Teachers Qualifications)

Note: Ontario Regulation 184/97 has previously been amended. Those amendments are listed in the Table of Regulations — Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Section 3 of Ontario Regulation 184/97 is revoked and the following substituted:

3. Subject to section 3.1, the Registrar may grant a certificate of qualification to a candidate, in the form provided in the by-laws of the College and indicating the areas of concentration the candidate has successfully completed, if the dean of a college or faculty of education or the director of a school of education in Ontario reports to the Registrar that the candidate,

- (a) has complied with section 2;
- (b) holds an acceptable post-secondary degree or qualifications the College considers equivalent thereto, or technological qualifications; and
- (c) has successfully completed a program of professional education.

2. Section 3.2 of the Regulation is revoked.

3. Section 3.3 of the Regulation is revoked and the following substituted:

3.3 If, immediately before section 3.2 was revoked by Ontario Regulation 269/06, a person held a valid certificate of qualification (provisional) that was granted under subsection 3.2 (1) or extended under subsection 3.2 (3), the person shall be deemed to hold a certificate of qualification as of the day Ontario Regulation 269/06 comes into force.

4. Subsection 11 (2) of the Regulation is amended by striking out “or, if the candidate is required to pass the qualifying test under section 10.1 of the *Education Act*, a certificate of qualification (provisional) under section 3.2” in the portion after clause (b).

5. (1) Subsection 13 (1) of the Regulation is amended by adding “and” at the end of clause (b), by striking out “and” at the end of clause (c) and by striking out clause (d).

(2) Subsection 13 (3) of the Regulation is revoked.

(3) Section 13 of the Regulation is amended by adding the following subsection:

(4) The following rules apply if an interim certificate of qualification that was originally granted under this section after March 14, 2002 and before March 5, 2004 was deemed to be an interim certificate of qualification (provisional) under subsection (3) as it read before it was revoked by Ontario Regulation 269/06:

- 1. As of the day Ontario Regulation 269/06 comes into force, the certificate shall be deemed to be an interim certificate of qualification.
- 2. The certificate shall be deemed to have been granted on the day the interim certificate of qualification was originally granted under this section.
- 3. The interim certificate of qualification shall be valid for six years from the date described in paragraph 2.

6. (1) Subsection 13.1 (1) of the Regulation is amended by adding “and” at the end of clause (b), by striking out “and” at the end of clause (c) and by striking out clause (d).

(2) Subsection 13.1 (7) of the Regulation is revoked.

(3) Section 13.1 of the Regulation is amended by adding the following subsection:

(8) The following rules apply if an interim certificate of qualification (limited) that was originally granted under this section after March 14, 2002 and before March 5, 2004 was deemed to be an interim certificate of qualification (limited, provisional) under subsection (7) as it read before it was revoked by Ontario Regulation 269/06:

1. As of the day Ontario Regulation 269/06 comes into force, the certificate shall be deemed to be an interim certificate of qualification (limited).
2. The certificate shall be deemed to have been granted on the day the interim certificate of qualification was originally granted under this section.
3. Subsections (4), (5) and (6) apply with respect to the certificate.

7. Section 13.2 of the Regulation is revoked.

8. The Regulation is amended by adding the following section:

13.2.1 If, immediately before section 13.2 was revoked by Ontario Regulation 269/06, a person held a valid interim certificate of qualification (provisional) that was granted under that section, on the day Ontario Regulation 269/06 comes into force the following rules apply:

1. The certificate shall be deemed to be an interim certificate of qualification.
2. The interim certificate of qualification referred to in paragraph 1 shall be deemed to have been granted on the day the interim certificate of qualification (provisional) was originally granted.
3. The interim certificate of qualification is valid for six years from the date described in paragraph 2.

9. Section 13.3 of the Regulation is revoked.

10. The Regulation is amended by adding the following section:

13.3.1 If, immediately before section 13.3 was revoked by Ontario Regulation 269/06, a person held a valid interim certificate of qualification (limited, provisional) that was granted under that section, on the day Ontario Regulation 269/06 comes into force the following rules apply:

1. The certificate shall be deemed to be an interim certificate of qualification (limited).
2. The interim certificate of qualification (limited) shall be deemed to have been granted on the day that interim certificate of qualification (limited, provisional) was originally granted.
3. Subsections 13.1 (4), (5) and (6) apply, with necessary modifications, with respect to the certificate.

11. Clause 31 (a) of the Regulation is revoked and the following substituted:

- (a) holds or has been recommended by the dean or the director for a certificate of qualification, an interim certificate of qualification or a certificate of qualification (restricted);

12. Clause 32 (1) (a) of the Regulation is revoked and the following substituted:

- (a) holds or has been recommended by the dean or the director for a certificate of qualification or an interim certificate of qualification;

13. Clause 33 (a) of the Regulation is revoked and the following substituted:

- (a) holds or has been recommended by the dean or the director for a certificate of qualification or an interim certificate of qualification; and

14. Clause 34 (a) of the Regulation is revoked and the following substituted:

- (a) holds a certificate of qualification or an interim certificate of qualification;

15. Clause 35 (a) of the Regulation is revoked and the following substituted:

- (a) holds or is deemed to hold a certificate of qualification or an interim certificate of qualification;

16. Clause 36 (a) of the Regulation is revoked and the following substituted:

- (a) holds or is deemed to hold a certificate of qualification or an interim certificate of qualification;

17. (1) Clause 40 (1) (a) of the Regulation is revoked and the following substituted:

- (a) holds or is deemed to hold a certificate of qualification or an interim certificate of qualification and the candidate's certificate of qualification has an entry showing qualifications in the primary division, the junior division, the intermediate division in general studies or the senior division in general studies; and

(2) Clause 40 (4) (a) of the Regulation is revoked and the following substituted:

- (a) holds or is deemed to hold a certificate of qualification or an interim certificate of qualification;

18. Subclause 53 (1) (b) (i) of the Regulation is revoked and the following substituted:

- (i) holds a certificate of qualification, an interim certificate of qualification, a certificate of qualification (restricted), a certificate of qualification (limited), or a certificate of qualification (limited, restricted), and

19. Part VIII of the Regulation is revoked.

Made by:

COUNCIL OF THE ONTARIO COLLEGE OF TEACHERS:

MARILYN A. LAFRAMBOISE
Chair

W. DOUGLAS WILSON
Registrar and Chief Executive Officer

Date made: June 2, 2006.

26/06

ONTARIO REGULATION 270/06

made under the

ONTARIO COLLEGE OF TEACHERS ACT, 1996

Made: June 2, 2006
Approved: June 7, 2006
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Amending O. Reg. 293/00
(Election of Council Members)

Note: Ontario Regulation 293/00 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Sections 1 to 7 of Ontario Regulation 293/00 are revoked and the following substituted:

INTERPRETATION

1. In this Regulation,

- “continuing education teacher” has the same meaning as in subsection 1 (1) of the *Education Act*; (“enseignant de l’éducation permanente”)
- “district school board” has the same meaning as in subsection 1 (1) of the *Education Act*; (“conseil scolaire de district”)
- “election committee” means the election committee established by the Council under subsection 15 (2) of the *Ontario College of Teachers Act, 1996*; (“comité des élections”)
- “elector” means a person who is a member of the Ontario College of Teachers who is in good standing; (“électeur”)
- “elementary school” has the same meaning as in subsection 1 (1) of the *Education Act*; (“école élémentaire”)
- “employer” means, with respect to a teacher, a district school board, school authority or a private school; (“employeur”)
- “English-language public board” has the same meaning as in subsection 1 (1) of the *Education Act*; (“conseil public de langue anglaise”)
- “French-language instructional unit” has the same meaning as in subsection 1 (1) of the *Education Act*; (“module scolaire de langue française”)

“intermediate division” has the same meaning as in subsection 1 (1) of the *Education Act*; (“cycle intermédiaire”)

“junior division” has the same meaning as in subsection 1 (1) of the *Education Act*; (“cycle moyen”)

“primary division” has the same meaning as in subsection 1 (1) of the *Education Act*; (“cycle primaire”)

“principal” or “vice-principal” means a person who is qualified in accordance with the regulations made under the *Education Act* governing principals and vice-principals and who is employed,

(a) by a district school board or school authority, or

(b) by the Provincial Schools Authority,

to perform such duties as are required of principals and vice-principals by the *Education Act* and the regulations made under it; (“directeur d’école”, “directeur adjoint”)

“private school” has the same meaning as in subsection 1 (1) of the *Education Act*; (“école privée”)

“Provincial Schools Authority” means the Provincial Schools Authority continued under section 2 of the *Provincial Schools Negotiations Act*; (“Administration des écoles provinciales”)

“public district school board” has the same meaning as in subsection 1 (1) of the *Education Act*; (“conseil scolaire de district public”)

“public school authority” has the same meaning as in subsection 1 (1) of the *Education Act*; (“administration scolaire publique”)

“Roman Catholic school authority” has the same meaning as in subsection 1 (1) of the *Education Act*; (“administration scolaire catholique”)

“school authority” has the same meaning as in subsection 1 (1) of the *Education Act*; (“administration scolaire”)

“secondary school” has the same meaning as in subsection 1 (1) of the *Education Act*; (“école secondaire”)

“secondary school district” has the same meaning as in subsection 1 (1) of the *Education Act*; (“district d’écoles secondaires”)

“senior division” has the same meaning as in subsection 1 (1) of the *Education Act*; (“cycle supérieur”)

“separate district school board” has the same meaning as in subsection 1 (1) of the *Education Act*; (“conseil scolaire de district séparé”)

“supervisory officer” has the same meaning as in subsection 1 (1) of the *Education Act*; (“agent de supervision”)

“teacher” has the same meaning as in subsection 1 (1) of the *Education Act*; (“enseignant”)

“temporary teacher” has the same meaning as in subsection 1 (1) of the *Education Act*. (“enseignant temporaire”)

2. For the purposes of sections 3 and 4,

“instructional services” means,

(a) instruction provided to pupils,

(b) services provided to pupils by a guidance counsellor,

(c) services provided to pupils by a librarian,

(d) services provided by an elector who is appointed under subsection 14 (3) of Regulation 298 of the Revised Regulations of Ontario, 1990 (Operation of Schools — General) made under the *Education Act*, to direct and supervise an organizational unit,

(e) services provided by an elector who is appointed under subsection 17 (1) of Regulation 298 of the Revised Regulations of Ontario, 1990 (Operation of Schools — General) made under the *Education Act*, to supervise or co-ordinate a subject or program or to act as a consultant for the teachers of the subjects or programs, and

(f) services provided by an elector who is assigned in a regular timetable of the employer to provide mentoring services, to supervise or co-ordinate a subject or program or to act as a consultant for the teachers of the subjects or programs.

3. For the purposes of this Regulation,

“full-time classroom teacher” means an elector who is described in one of the following paragraphs:

1. The elector,

i. is part of an employer’s regular teaching staff, and

ii. is assigned in a regular timetable of the employer to provide one or more instructional services in an elementary or secondary school on a full-time basis.

2. The elector,

- i. is part of an employer's regular teaching staff,
- ii. is on parental, sick, family or compassionate leave, and
- iii. immediately before taking the leave, had a position that satisfied the requirement set out in subparagraph 1 ii.

4. (1) For the purposes of this Regulation,

"part-time classroom teacher" means an elector who,

- (a) has provided instructional services for at least 10 days during the 12 months immediately preceding the last date for submitting nominations in an election year; and
- (b) is an elector described in paragraph 1, 2 or 3 of subsection (2).

(2) The following are electors for the purposes of clause (b) of the definition of "part-time classroom teacher" in subsection (1):

1. The elector,

- i. is part of an employer's regular teaching staff, and
- ii. is assigned in a regular timetable of the employer to provide one or more instructional services in an elementary or secondary school on less than a full-time basis.

2. The elector,

- i. is part of an employer's regular teaching staff,
- ii. is on parental, sick, family or compassionate leave, and
- iii. immediately before taking the leave, had a position that satisfied the requirement set out in subparagraph 1 ii.

3. The elector is an occasional teacher.

(3) For the purposes of clause (a) of the definition of "part-time classroom teacher" in subsection (1), a person who has provided instructional services for part of a day has done so for the day.

(4) For the purposes of paragraph 3 of subsection (2), an occasional teacher is an elector employed by an employer to provide instructional services as a substitute for a person who is or was,

(a) employed by the employer in a position that is part of its regular teaching staff; and

(b) one of the following:

- (i) A teacher.
- (ii) A temporary teacher.
- (iii) A continuing education teacher.

TIMING OF ELECTIONS

5. (1) The election committee shall recommend to the Council a date for the election in each election year.

(2) On a date set by the Council, an election of members to the Council shall be held before November 1, 2000, before April 30, 2003, before November 9, 2006 and before April 30 in every third year after 2006.

NUMBER OF COUNCIL POSITIONS

6. Twelve regional positions and 11 other positions are established for the purposes of the election of members of the Council of the College.

ELIGIBILITY TO VOTE

7. (1) An elector who resides in a region listed in Column 2 of Table 1 is entitled to vote for the positions set out opposite the region in Column 1 of the Table.

(2) An elector who is not entitled to vote for a position described in Column 3 of Table 3 is entitled to vote for every position listed in Column 1 of Table 2.

(3) An elector who satisfies the requirements for a position described in Column 3 of Table 3 is entitled to vote for the position.

ELIGIBILITY TO BE NOMINATED

7.1 (1) A person is eligible to be nominated to a position on Council if the person,

- (a) is an elector;
 - (b) resides in Ontario;
 - (c) is not employed by or in the College; and
 - (d) satisfies the nomination requirements set out in subsection (2), (3), (4) or (5) with respect to the position.
- (2) For one of positions 1 to 6, listed in Table 1, the nomination requirements mentioned in clause (1) (d) are as follows:
- 1. The person must be a full-time or part-time classroom teacher.
 - 2. The person must meet the residence requirement set out in Column 2 of Table 1 with respect to the position.
- (3) For one of positions 7 to 12, listed in Table 1, the nomination requirements mentioned in clause (1) (d) are as follows:
- 1. The person must be a full-time classroom teacher.
 - 2. The person must meet the residence requirement set out in Column 2 of Table 1 with respect to the position.
- (4) For one of positions 13 to 19, listed in Table 2, the nomination requirements mentioned in clause (1) (d) are listed in Column 3 of Table 2 with respect to the position.
- (5) For one of positions 20 to 23, listed in Table 3, the nomination requirements mentioned in clause (1) (d) are listed in Column 3 of Table 3 with respect to the position.
- (6) Despite subsections (2), (3), (4) and (5), a person who meets the requirements listed in clauses (1) (a), (b) and (c) and who holds a prohibited position with one of the organizations listed in Schedule 1, as described in subsections (7) and (8), is eligible to be nominated for,
- (a) one of positions 1 to 6, whether or not the person satisfies the nomination requirement set out in paragraph 1 of subsection (2);
 - (b) one of positions 7 to 12, whether or not the person satisfies the nomination requirement set out in paragraph 1 of subsection (3);
 - (c) one of positions 13 to 19, whether or not the person meets the nomination requirements described in subsection (4); or
 - (d) one of positions 20 to 23, whether or not the person meets the nomination requirements described in subsection (5).
- (7) A position with one of the organizations listed in Schedule 1 is prohibited if it is a position that imposes duties or obligations that would conflict or appear to conflict with the duties of a Council member.
- (8) For greater certainty, the only positions that are prohibited for the reason set out in subsection (7) are the following positions:
- 1. A position as an employee at the provincial level of one of the organizations listed in Schedule 1.
 - 2. An elected or appointed position as a director, an official or a member of the executive at the provincial level of one of the organizations listed in Schedule 1.
 - 3. An elected or appointed position as the president of a local branch of one of the organizations listed in Schedule 1.
- (9) For the purposes of the 2006 election, a nomination requirement to be a part-time classroom teacher is satisfied whether or not the person satisfies clause (a) of the definition of "part-time classroom teacher" in subsection 4 (1).

2. Subsection 8 (1) of the Regulation is revoked and the following substituted:

(1) The Registrar shall administer the election of members to the Council of the College and shall decide all matters incidental to the election, including but not limited to,

- (a) whether a person is eligible to be nominated for a position;
- (b) whether a person is eligible to vote;
- (c) whether a nomination or vote should be accepted;
- (d) whether a nomination form contains all the information and materials required by subsections 10 (1) and (3); and
- (e) whether a person who was declared elected under clause 22 (1) (b) or section 22.2 to a position has met the requirements for taking the position set out in section 22.1.

3. Sections 9 and 10 of the Regulation are revoked and the following substituted:

PROCEDURES BEFORE AN ELECTION

9. (1) At least four months before the election date, the Registrar shall publish notice of the election in the College's official publication and on the College website.

(2) The notice shall include the following:

1. A description of,
 - i. the objects and functions of the College and the Council,
 - ii. the duty of the College and of Council members to serve and protect the public interest,
 - iii. the nature of the issues addressed by the Council,
 - iv. the job responsibilities of Council members and the expectations for members' participation in committees of the Council,
 - v. the estimated amount of time that Council members are expected to devote to performing their responsibilities as Council members and committee members, and
 - vi. the College's policies on compensation and on expenses for Council members and committee members.
2. A list of positions and the eligibility requirements for nomination to each position.
3. Instructions on the nomination process.
4. The last date to deliver or send completed nominations to the Registrar.
5. Particulars of any print, electronic or other medium by which the College intends to provide to electors information about the election, ballots or forms.
6. Information on how to arrange for a tour of the College premises.

10. (1) The nomination of a person for election as a member of Council shall be in writing on a form provided by the Registrar, and shall include the following:

1. The person's name.
2. The name of the person as he or she wishes it to appear on the ballot form.
3. The person's registration number, issued by the College under its by-laws.
4. The person's home address.
5. The person's day-time and home telephone numbers.
6. The person's work address and the name of the person's employer or employers. In the case of a person who holds a prohibited position listed in paragraphs 1 to 3 of subsection 7.1 (8), the name of the organization at which the prohibited position is held must be provided and, if applicable, the name of the employer or employers.
7. The Council position sought by the person.
8. A statement, signed and dated by the person, containing the following:
 - i. Confirmation that the person is eligible to be nominated for the position sought.
 - ii. Confirmation that the person is willing to be nominated and to serve on the Council.
 - iii. Confirmation that the information about the nominee contained in the nomination form is accurate.
 - iv. A statement of whether or not the person holds a prohibited position listed in paragraphs 1 to 3 of subsection 7.1 (8).
 - v. The person's acknowledgement that, if elected, he or she will be required to swear an oath or make an affirmation as set out in section 4.1 of Ontario Regulation 72/97 (General) made under the Act, in the manner and form and within the time period set out in that regulation.
9. If the person states under subparagraph 8 iv that he or she holds a prohibited position listed in paragraphs 1 to 3 of subsection 7.1 (8), an additional statement, signed and dated by the person, containing the following:
 - i. The person's undertaking that he or she will resign from the prohibited position before taking office as a member of Council if,
 - A. the person is elected to Council, and
 - B. at the time the person is elected, he or she holds such a position.
 - ii. For a person being nominated to one of positions 1 to 6, the person's undertaking to make his or her best efforts to obtain employment as a full-time or part-time classroom teacher before taking office as a member of Council if,
 - A. the person is elected to Council, and

- B. at the time the person is elected, he or she is not a full-time or part-time classroom teacher.
- iii. For a person being nominated to one of positions 7 to 12, the person's undertaking to make his or her best efforts to obtain employment as a full-time classroom teacher before taking office as a member of Council if,
 - A. the person is elected to Council, and
 - B. at the time the person is elected, he or she is not a full-time classroom teacher.
- iv. For a person being nominated to one of positions 13 to 19, the person's undertaking to make his or her best efforts to obtain employment that satisfies the requirements listed in Column 3 of Table 2 with respect to the position for which he or she is nominated, before taking office as a member of Council if,
 - A. the person is elected to Council, and
 - B. at the time the person is elected, he or she does not have such employment.
- v. For a person being nominated to one of positions 20 to 23, the person's undertaking to make his or her best efforts to obtain employment that satisfies the requirements listed in Column 3 of Table 3 with respect to the position for which he or she is nominated, before taking office as a member of Council if,
 - A. the person is elected to Council, and
 - B. at the time the person is elected, he or she does not have such employment.
- 10. The signatures of and information about nominators required by subsection (3).
- 11. A biographical statement about the person.
 - (2) The person's biographical statement referred to in paragraph 11 of subsection (1),
 - (a) must include information about,
 - (i) the person's teaching qualifications and experience,
 - (ii) the person's current position or positions at a district school board, school authority, private school or post-secondary institution, if any,
 - (iii) the person's current and past memberships or involvement with any of the organizations listed in Schedule 1, and
 - (iv) the person's understanding of the duty of the College and of Council members to serve and protect the public interest;
 - (b) may, if the candidate chooses, include information about,
 - (i) the person's current memberships or involvement with any group or organization related to the education profession, other than the organizations listed in Schedule 1,
 - (ii) the person's participation in professional development, and
 - (iii) any of the person's other interests or activities relating to education; and
 - (c) may, if the candidate chooses, include a statement of the person's professional goals.
 - (3) The nomination form must include signatures of at least 10 nominators and the following information about each nominator:
 - 1. The nominator's name.
 - 2. The nominator's registration number, issued by the College under its by-laws.
 - 3. The nominator's home address.
 - 4. The nominator's work address.
 - 5. A statement signed by the nominator confirming that he or she,
 - i. is eligible to be a nominator, and
 - ii. supports the nominee's nomination.
- (4) An elector is eligible to nominate a person for a position if the elector is eligible to seek the position.
- (5) A nomination of a person is not valid unless the nomination form contains all the information and materials required by subsections (1) and (3).

4. (1) The French version of clause 14 (1) (a) of the Regulation is amended by striking out "le candidat proposé n'est pas admissible à être déclaré candidat au poste indiqué" and substituting "la personne ne peut pas être mise en candidature pour le poste indiqué".

(2) Subsection 14 (1) of the Regulation is amended by striking out “or” at the end of clause (a), by adding “or” at the end of clause (b) and by adding the following clause:

(c) if the nomination form does not contain all the information and materials required by subsections 10 (1) and (3).

5. (1) The French version of clause 16 (1) (a) of the Regulation is amended by striking out “n’était pas admissible à être déclarée candidate au poste” and substituting “ne pouvait pas être mise en candidature pour le poste”.

(2) The French version of clause 16 (1) (b) of the Regulation is amended by striking out “a cessé d’être admissible à être déclarée candidate au poste” and substituting “ne peut plus être mise en candidature pour le poste”.

(3) Subsection 16 (1) of the Regulation is amended by striking out “or” at the end of clause (b), by adding “or” at the end of clause (c) and by adding the following clause:

(d) falsified or intentionally omitted any information required by subsection 10 (1) or (3).

6. The French version of subsection 18 (2) of the Regulation is amended by striking out “sont admissibles à être déclarées candidates au poste” and substituting “peuvent être mises en candidature pour le poste”.

7. Sections 19 and 20 of the Regulation are revoked and the following substituted:

ELECTION PROCEDURES

19. (1) The Election Committee shall establish the voting procedures for the election.

(2) The procedures shall,

(a) specify the period during which each elector may vote; and

(b) require the Registrar to provide,

(i) a telephone line to be used exclusively for election purposes, through which candidates may obtain information from the College about the election or about the mandate and activities of the College, and

(ii) at least three opportunities for candidates to communicate with electors, in addition to the distribution of the nomination forms, through the College’s official publication, the College website or electronic means.

(3) The procedures may provide for the use of electronic means for voting and for tabulating results.

(4) The Registrar shall make reasonable efforts to ensure that any records that connect the name of an elector to the votes cast by him or her remain confidential and are used only to the extent necessary for the purposes of voting and tabulating results.

20. (1) The Registrar shall record a list of electors including,

(a) each elector’s name;

(b) the elector’s current address, as provided by the elector under the by-laws of the College; and

(c) the positions for which the elector is entitled to vote.

(2) At least one month before the election date, the Registrar shall ensure that all electors receive the following information or are made aware of how to obtain the information by electronic means:

1. A list of the positions for which electors are entitled to vote.

2. An alphabetical list of the candidates for each position.

3. The nomination form and all material and information required by subsections 10 (1) and (3) for each candidate, in alphabetical order for each position.

4. The information that was required to be included in the notice of election under subparagraphs 1 i to vi of subsection 9 (2).

5. Instructions on how to vote.

(3) The Registrar shall ensure that the following information is not provided or made available under paragraph 3 of subsection (2):

1. The candidate’s home address, day-time and home telephone numbers and work address.

2. The nominator’s home address and work address.

(4) At least one month before the election date, the Registrar shall provide a ballot to each elector.

(5) The Registrar may extend the period for providing ballots or voting if there is a postal disruption or a disruption in a means of electronic communication.

8. The Regulation is amended by adding the following sections:

ELIGIBILITY TO TAKE OFFICE

22.1 (1) A person who is declared elected under clause 22 (1) (b) or section 22.2 to a Council position may take the position if, before the start of his or her term of office, the person meets the following requirements, in addition to the requirement or requirements described in subsection (2), (3), (4) or (5), as the case may be:

1. The person resigns from any prohibited position listed in paragraphs 1 to 3 of subsection 7.1 (8) that he or she may hold.
2. The person swears an oath or makes an affirmation as set out in section 4.1 to Ontario Regulation 72/97 (General) made under the Act, in the manner and form and within the time period set out in that regulation.

(2) A person who is declared elected under clause 22 (1) (b) or section 22.2 to one of positions 1 to 6 who is not a full-time or part-time classroom teacher may take the position only if he or she obtains employment as a full-time or part-time classroom teacher.

(3) A person who is declared elected under clause 22 (1) (b) or section 22.2 to one of positions 7 to 12 who is not a full-time classroom teacher may take the position only if he or she obtains employment as a full-time classroom teacher.

(4) A person who is declared elected under clause 22 (1) (b) or section 22.2 to one of positions 13 to 19 who does not hold employment that satisfies the requirements set out in Column 3 of Table 2 with respect to that position may take the position only if he or she obtains such employment.

(5) A person who is declared elected under clause 22 (1) (b) or section 22.2 to one of positions 20 to 23 who does not hold employment that satisfies the requirements set out in Column 3 of Table 3 with respect to that position may take the position only if he or she obtains such employment.

22.2 If a person who is declared elected under clause 22 (1) (b) or under this section does not satisfy the requirements set out in section 22.1 before the start of his or her term of office, the Registrar shall declare elected the person who received the next greatest number of votes for the position.

9. Section 23 of the Regulation is revoked and the following substituted:

23. (1) Subject to subsection (2), the term of office of a person elected to the Council starts on July 1 of the election year and expires on June 30 of the year of the next election of Council members.

(2) The term of office of a person elected to the Council in 2006 starts at the first regular meeting of the Council, at which a quorum is present, held after the person is elected and expires on June 30 of the year of the next election of Council members.

10. The Regulation is amended by adding the following section:

REPORT TO REGISTRAR

24. Every person elected to the Council shall, within 30 days after being declared elected, provide the Registrar with a report setting out,

- (a) the amount of money received in relation to the election;
- (b) the value of goods or services received in relation to the election; and
- (c) the sources of the money, goods or services referred to in clauses (a) and (b).

11. The Regulation is amended by adding the following Tables:

TABLE 1

| Column 1 | Column 2 |
|----------------------------|--|
| Position | Residence Requirement |
| Regional Positions 1 and 7 | The elector or nominee must reside in one of the following regions: Algoma, Cochrane, Kenora, Rainy River, Thunder Bay, The Regional County Municipality of Abitibi, The Regional County Municipality of Abitibi-Ouest, The Regional County Municipality of Rouyn-Noranda, The Regional County Municipality of Témiscamingue, The Regional County Municipality of Vallée-de-l'Or in Quebec or Manitoba. |

| Column 1 | Column 2 |
|-----------------------------|--|
| Position | Residence Requirement |
| Regional Positions 2 and 8 | The elector or nominee must reside in the following region: Sudbury, Manitoulin, Timiskaming, Nipissing or Parry Sound. |
| Regional Positions 3 and 9 | The elector or nominee must reside in one of the following regions: Ottawa, Prescott, Russell, Stormont, Dundas, Glengarry, Hastings, Lennox, Addington, Lanark, Renfrew, Leeds, Grenville, Frontenac, Prince Edward or any part of Quebec not described in Column 2 opposite Regional Positions 1 and 7. |
| Regional Positions 4 and 10 | The elector or nominee must reside in one of the following regions: Northumberland, Kawartha Lakes, Peterborough, Clarington, Simcoe, Haliburton, Muskoka, Dufferin, Wellington, Peel, Halton, Waterloo, Niagara or Hamilton. |
| Regional Positions 5 and 11 | The elector or nominee must reside in one of the following regions: Brant, Essex, Lambton, Elgin, Middlesex, Huron, Perth, Bruce, Grey, Oxford, Haldimand, Norfolk or Chatham-Kent. |
| Regional Positions 6 and 12 | The elector or nominee must reside in one of the following regions: Toronto, York, Durham (excluding Clarington) or any area not described in Column 2 opposite Regional Positions 1 to 5 or 7 to 11. |

TABLE 2

| Column 1 | Column 2 | Column 3 |
|-------------|--|---|
| Position | Position Description | Requirements |
| Position 13 | English-language public board elementary | <p>The person must satisfy all of the following requirements:</p> <ol style="list-style-type: none"> 1. The person must be employed by an English-language public district school board, the Provincial Schools Authority or a school authority, other than a Roman Catholic school authority or a board of a secondary school district established under section 67 of the <i>Education Act</i>. 2. The person must be employed as an elementary school teacher. 3. The person must hold the qualifications required to teach a course or class in the primary or junior division or in the first two years of the intermediate division. |

| Column 1 | Column 2 | Column 3 |
|-------------|--|--|
| Position | Position Description | Requirements |
| | | <ol style="list-style-type: none"> 4. The person must not be employed in a French-language instructional unit. 5. The person must be a full-time classroom teacher. |
| Position 14 | English-language public board secondary | <p>The person must satisfy all of the following requirements:</p> <ol style="list-style-type: none"> 1. The person must be employed by an English-language public district school board, public school authority or the Provincial Schools Authority. 2. The person must be employed as a secondary school teacher. 3. The person must hold the qualifications required to teach a course or class in the last two years of the intermediate division or in the senior division. 4. The person must not be employed in a French-language instructional unit. 5. The person must be a full-time classroom teacher. |
| Position 15 | English-language Roman Catholic board elementary | <p>The person must satisfy all of the following requirements:</p> <ol style="list-style-type: none"> 1. The person must be employed by an English-language separate district school board or a Roman Catholic school authority. 2. The person must be employed as an elementary school teacher. 3. The person must hold the qualifications required to teach a course or class in the primary or junior division or in the first two years of the intermediate division. 4. The person must not be employed in a French-language instructional unit. 5. The person must be a full-time classroom teacher. |

| Column 1 | Column 2 | Column 3 |
|-------------|---|---|
| Position | Position Description | Requirements |
| Position 16 | English-language Roman Catholic board secondary | <p>The person must satisfy all of the following requirements:</p> <ol style="list-style-type: none"> 1. The person must be employed by an English-language separate district school board. 2. The person must be employed as a secondary school teacher. 3. The person must hold the qualifications required to teach a course or class in the last two years of the intermediate division or in the senior division. 4. The person must be a full-time classroom teacher. |
| Position 17 | French-language Roman Catholic board elementary | <p>The person must satisfy all of the following requirements:</p> <ol style="list-style-type: none"> 1. The person must be employed by a French-language separate district school board or Roman Catholic school authority that operates a French-language instructional unit. 2. The person must be employed as an elementary school teacher. 3. The person must hold the qualifications required to teach a course or class in the primary or junior division or in the first two years of the intermediate division. 4. The person must be employed in a French-language instructional unit. 5. The person must be a full-time classroom teacher. |
| Position 18 | French-language Roman Catholic board secondary | <p>The person must satisfy all of the following requirements:</p> <ol style="list-style-type: none"> 1. The person must be employed by a French-language separate district school board. 2. The person must be employed as a secondary school teacher. |

| Column 1 | Column 2 | Column 3 |
|-------------|--|---|
| Position | Position Description | Requirements |
| | | <p>3. The person must hold the qualifications required to teach a course or class in the last two years of the intermediate division or in the senior division.</p> <p>4. The person must be a full-time classroom teacher.</p> |
| Position 19 | French-language public board elementary or secondary | <p>The person must satisfy all of the following requirements:</p> <ol style="list-style-type: none"> 1. The person must be employed by a French-language public district school board, a public school authority that operates a French-language instructional unit, or the Provincial Schools Authority at Centre Jules-Léger. 2. The person, <ol style="list-style-type: none"> i. must be employed as an elementary school teacher and must hold the qualifications required to teach a course or class in the primary or junior division or in the first two years of the intermediate division, or ii. must be employed as a secondary school teacher and must hold the qualifications required to teach a course or class in the last two years of the intermediate division or in the senior division. 3. The person must be employed in a French-language instructional unit. 4. The person must be a full-time classroom teacher. |

TABLE 3

| Column 1 | Column 2 | Column 3 |
|-------------|--------------------------|--|
| Position | Position Description | Requirements |
| Position 20 | Principal/Vice-Principal | The person must be employed as a principal or vice-principal. |
| Position 21 | Supervisory Officers | The person must be employed as a supervisory officer. |
| Position 22 | Private Schools | The person must be employed by a private school that has submitted a current notice of intention under section 16 of the <i>Education Act</i> . |
| Position 23 | Faculties of Education | The person must be employed, (a) as a tenured or tenure-track faculty member; (b) by a university or other post-secondary institution; and (c) at a school or faculty of education or equivalent that offers a program of professional education or a program of additional qualification accredited by the College under Ontario Regulation 347/02 (Accreditation of Teacher Education Programs) made under the Act. |

12. The Regulation is amended by adding the following Schedule:

SCHEDULE 1

1. Association des directions et directions adjointes des écoles franco-ontariennes.
2. Association des enseignantes et des enseignants franco-ontariens.
3. Association des gestionnaires de l'éducation franco-ontarienne.
4. Catholic Principals' Council of Ontario.
5. Council of Ontario Directors of Education.
6. Elementary Teachers' Federation of Ontario.
7. Ontario Catholic Supervisory Officers' Association.
8. Ontario English Catholic Teachers' Association.
9. Ontario Ministry of Education.
10. Ontario Principals' Council.
11. Ontario Public Supervisory Officials' Association.
12. Ontario Secondary School Teachers' Federation.
13. Ontario Teachers' Federation.

RÈGLEMENT DE L'ONTARIO 270/06

pris en application de la

LOI DE 1996 SUR L'ORDRE DES ENSEIGNANTES ET DES ENSEIGNANTS DE L'ONTARIO

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modifiant le Règl. de l'Ont. 293/00

(Élection des membres du conseil)

Remarque : Le Règlement de l'Ontario 293/00 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des règlements qui se trouve sur le site www.lois-en-ligne.gouv.on.ca.

1. Les articles 1 à 7 du Règlement de l'Ontario 293/00 sont abrogés et remplacés par ce qui suit :**DÉFINITIONS****1. Les définitions qui suivent s'appliquent au présent règlement.**

«Administration des écoles provinciales» L'Administration des écoles provinciales maintenue aux termes de l'article 2 de la *Loi sur la négociation collective dans les écoles provinciales*. («Provincial Schools Authority»)

«administration scolaire» S'entend au sens du paragraphe 1 (1) de la *Loi sur l'éducation*. («school authority»)

«administration scolaire catholique» S'entend au sens du paragraphe 1 (1) de la *Loi sur l'éducation*. («Roman Catholic school authority»)

«administration scolaire publique» S'entend au sens du paragraphe 1 (1) de la *Loi sur l'éducation*. («public school authority»)

«agent de supervision» S'entend au sens du paragraphe 1 (1) de la *Loi sur l'éducation*. («supervisory officer»)

«comité des élections» Le comité des élections créé par le conseil en vertu du paragraphe 15 (2) de la *Loi de 1996 sur l'Ordre des enseignantes et des enseignants de l'Ontario*. («election committee»)

«conseil public de langue anglaise» S'entend au sens du paragraphe 1 (1) de la *Loi sur l'éducation*. («English-language public board»)

«conseil scolaire de district» S'entend au sens du paragraphe 1 (1) de la *Loi sur l'éducation*. («district school board»)

«conseil scolaire de district public» S'entend au sens du paragraphe 1 (1) de la *Loi sur l'éducation*. («public district school board»)

«conseil scolaire de district séparé» S'entend au sens du paragraphe 1 (1) de la *Loi sur l'éducation*. («separate district school board»)

«cycle intermédiaire» S'entend au sens du paragraphe 1 (1) de la *Loi sur l'éducation*. («intermediate division»)

«cycle moyen» S'entend au sens du paragraphe 1 (1) de la *Loi sur l'éducation*. («junior division»)

«cycle primaire» S'entend au sens du paragraphe 1 (1) de la *Loi sur l'éducation*. («primary division»)

«cycle supérieur» S'entend au sens du paragraphe 1 (1) de la *Loi sur l'éducation*. («senior division»)

«directeur d'école» ou «directeur adjoint» Personne qui possède la qualification requise conformément aux règlements d'application de la *Loi sur l'éducation* régissant les directeurs d'école et les directeurs adjoints et qui est employée, pour s'acquitter des fonctions que cette loi et ses règlements leur attribuent :

a) soit par un conseil scolaire de district ou une administration scolaire;

b) soit par l'Administration des écoles provinciales. («principal», «vice-principal»)

«district d'écoles secondaires» S'entend au sens du paragraphe 1 (1) de la *Loi sur l'éducation*. («secondary school district»)

«école élémentaire» S'entend au sens du paragraphe 1 (1) de la *Loi sur l'éducation*. («elementary school»)

«école privée» S'entend au sens du paragraphe 1 (1) de la *Loi sur l'éducation*. («private school»)

«école secondaire» S'entend au sens du paragraphe 1 (1) de la *Loi sur l'éducation*. («secondary school»)

«électeur» Membre en règle de l'Ordre des enseignantes et des enseignants de l'Ontario. («elector»)

«employeur» À l'égard d'un enseignant, s'entend d'un conseil scolaire de district, d'une administration scolaire ou d'une école privée. («employer»)

«enseignant» S'entend au sens du paragraphe 1 (1) de la Loi sur l'éducation. («teacher»)

«enseignant de l'éducation permanente» S'entend au sens du paragraphe 1 (1) de la *Loi sur l'éducation*. («continuing education teacher»)

«enseignant temporaire» S'entend au sens du paragraphe 1 (1) de la *Loi sur l'éducation*. («temporary teacher»)

«module scolaire de langue française» S'entend au sens du paragraphe 1 (1) de la *Loi sur l'éducation*. («French-language instructional unit»)

2. La définition qui suit s'applique aux articles 3 et 4.

«services liés à l'enseignement» S'entend de ce qui suit :

- a) l'enseignement offert aux élèves;
- b) les services offerts aux élèves par un conseiller en orientation;
- c) les services offerts aux élèves par un bibliothécaire;
- d) les services offerts par un électeur nommé en vertu du paragraphe 14 (3) du Règlement 298 des Règlements refondus de l'Ontario de 1990 (Fonctionnement des écoles — dispositions générales) pris en application de la *Loi sur l'éducation* pour diriger et superviser une unité administrative;
- e) les services offerts par un électeur nommé en vertu du paragraphe 17 (1) du Règlement 298 des Règlements refondus de l'Ontario de 1990 (Fonctionnement des écoles — dispositions générales) pris en application de la *Loi sur l'éducation* pour superviser ou coordonner des matières ou des programmes ou pour agir à titre de conseiller auprès des enseignants qui dispensent des cours dans ces matières ou ces programmes;
- f) les services offerts par un électeur qui, dans le cadre de l'emploi du temps régulier que fixe l'employeur, est chargé d'offrir des services de mentorat, de superviser ou de coordonner des matières ou des programmes ou d'agir à titre de conseiller auprès des enseignants qui dispensent des cours dans ces matières ou ces programmes.

3. La définition qui suit s'applique au présent règlement.

«enseignant chargé de cours à temps plein» S'entend de l'électeur visé à l'une des dispositions suivantes :

1. L'électeur :

- i. fait partie du personnel d'enseignement normal de l'employeur,
- ii. est chargé, dans le cadre de l'emploi du temps régulier que fixe l'employeur, d'offrir à temps plein un ou plusieurs services liés à l'enseignement dans une école élémentaire ou secondaire.

2. L'électeur :

- i. fait partie du personnel d'enseignement normal de l'employeur,
- ii. est en congé parental, en congé de maladie ou en congé pour raisons familiales ou pour un événement de famille,
- iii. occupait un poste qui satisfaisait à l'exigence énoncée à la sous-disposition 1 ii avant de partir en congé.

4. (1) La définition qui suit s'applique au présent règlement.

«enseignant chargé de cours à temps partiel» S'entend de l'électeur qui remplit les conditions suivantes :

- a) il a offert des services liés à l'enseignement pendant au moins 10 jours au cours des 12 mois précédant la date limite pour la remise des déclarations de candidature au cours d'une année d'élections;
- b) il s'agit d'un électeur visé à la disposition 1, 2 ou 3 du paragraphe (2).

(2) Les personnes suivantes sont des électeurs pour l'application de l'alinéa b) de la définition de «enseignant chargé de cours à temps partiel» au paragraphe (1) :

1. L'électeur :

- i. fait partie du personnel d'enseignement normal de l'employeur,
- ii. est chargé, dans le cadre de l'emploi du temps régulier que fixe l'employeur, d'offrir un ou plusieurs services liés à l'enseignement dans une école élémentaire ou secondaire autrement qu'à temps plein.

2. L'électeur :

- i. fait partie du personnel d'enseignement normal de l'employeur,

- ii. est en congé parental, en congé de maladie ou en congé pour raisons familiales ou pour un événement de famille,
- iii. occupait un poste qui satisfaisait à l'exigence énoncée à la sous-disposition 1 ii avant de partir en congé.

3. L'électeur est un enseignant suppléant.

(3) Pour l'application de l'alinéa a) de la définition de «enseignant chargé de cours à temps partiel» au paragraphe (1), quiconque offre des services liés à l'enseignement pendant une partie de la journée est considéré comme les ayant offerts pendant toute la journée.

(4) Pour l'application de la disposition 3 du paragraphe (2), l'enseignant suppléant est un électeur que son employeur emploie pour offrir des services liés à l'enseignement pour remplacer une personne qui :

- a) d'une part, est ou était employée à un poste au sein du personnel enseignant normal du même employeur;
- b) d'autre part, occupe ou occupait l'un des postes suivants :
 - (i) Enseignant.
 - (ii) Enseignant temporaire.
 - (iii) Enseignant de l'éducation permanente.

DATE DES ÉLECTIONS

5. (1) Chaque année d'élections, le comité des élections recommande au conseil une date pour la tenue des élections.

(2) Les élections au conseil se tiennent à la date que fixe le conseil et qui tombe avant le 1^{er} novembre 2000, avant le 30 avril 2003, avant le 9 novembre 2006 et avant le 30 avril tous les trois ans par la suite.

NOMBRE DE POSTES AU CONSEIL

6. Douze postes régionaux et 11 autres postes sont créés aux fins de l'élection des membres du conseil de l'Ordre.

HABILETÉ À VOTER

7. (1) Les électeurs qui résident dans une région figurant à la colonne 2 du tableau 1 ont le droit de voter pour les postes figurant en regard de la région à la colonne 1.

(2) Les électeurs qui n'ont pas le droit de voter pour les postes figurant à la colonne 3 du tableau 3 l'ont pour tous les postes figurant à la colonne 1 du tableau 2.

(3) Les électeurs qui satisfont aux exigences des postes figurant à la colonne 3 du tableau 3 ont le droit de voter pour ces postes.

QUALITÉS REQUISES POUR LA MISE EN CANDIDATURE

7.1 (1) Quiconque remplit les conditions suivantes peut être mis en candidature pour un poste au conseil :

- a) il est un électeur;
- b) il réside en Ontario;
- c) il n'est pas employé par l'Ordre ni à celui-ci;
- d) il satisfait aux conditions de mise en candidature qui sont énoncées au paragraphe (2), (3), (4) ou (5) à l'égard du poste.

(2) Les conditions de mise en candidature mentionnées à l'alinéa (1) d) sont les suivantes à l'égard de chacun des postes n^{os} 1 à 6 figurant au tableau 1 :

- 1. La personne doit être un enseignant chargé de cours à temps plein ou à temps partiel.
- 2. La personne doit remplir le critère de résidence énoncé à la colonne 2 du tableau 1 à l'égard du poste.

(3) Les conditions de mise en candidature mentionnées à l'alinéa (1) d) sont les suivantes à l'égard de chacun des postes n^{os} 7 à 12 figurant au tableau 1 :

- 1. La personne doit être un enseignant chargé de cours à temps plein.
- 2. La personne doit remplir le critère de résidence énoncé à la colonne 2 du tableau 1 à l'égard du poste.

(4) Les conditions de mise en candidature mentionnées à l'alinéa (1) d) figurent à la colonne 3 du tableau 2 à l'égard de chacun des postes n^{os} 13 à 19 figurant au tableau 2.

(5) Les conditions de mise en candidature mentionnées à l'alinéa (1) d) figurent à la colonne 3 du tableau 3 à l'égard de chacun des postes n^{os} 20 à 23 figurant au tableau 3.

(6) Malgré les paragraphes (2), (3), (4) et (5), quiconque remplit les conditions prévues aux alinéas (1) a), b) et c) et occupe un poste interdit, selon les paragraphes (7) et (8), au sein de l'un des organismes figurant à l'annexe 1 peut être mis en candidature pour l'un des postes suivants :

- a) l'un des postes n^{os} 1 à 6, qu'il satisfasse ou non à la condition de mise en candidature énoncée à la disposition 1 du paragraphe (2);
- b) l'un des postes n^{os} 7 à 12, qu'il satisfasse ou non à la condition de mise en candidature énoncée à la disposition 1 du paragraphe (3);
- c) l'un des postes n^{os} 13 à 19, qu'il satisfasse ou non aux conditions de mise en candidature visées au paragraphe (4);
- d) l'un des postes n^{os} 20 à 23, qu'il satisfasse ou non aux conditions de mise en candidature visées au paragraphe (5).

(7) Les postes occupés au sein de l'un des organismes figurant à l'annexe 1 sont interdits si les fonctions ou obligations qu'ils imposent seraient effectivement ou apparemment incompatibles avec les fonctions de membre du conseil.

(8) Il est entendu que seuls les postes suivants sont interdits pour la raison énoncée au paragraphe (7) :

- 1. Les postes d'employé, à l'échelle provinciale, au sein de l'un des organismes figurant à l'annexe 1.
- 2. Les postes d'administrateur, de dirigeant ou de membre du bureau, à l'échelle provinciale, au sein de l'un des organismes figurant à l'annexe 1, qu'ils soient comblés par voie d'élection ou de nomination.
- 3. Le poste de président d'une section locale de l'un des organismes figurant à l'annexe 1, qu'il soit comblé par voie d'élection ou de nomination.

(9) L'obligation d'être un enseignant chargé de cours à temps partiel comme condition de mise en candidature est remplie, aux fins des élections de 2006, que la personne concernée satisfasse ou non à la condition énoncée à l'alinéa a) de la définition de «enseignant chargé de cours à temps partiel» au paragraphe 4 (1).

2. Le paragraphe 8 (1) du Règlement est abrogé et remplacé par ce qui suit :

(1) Le registrateur gère les élections au conseil de l'Ordre et décide des questions connexes, et notamment de ce qui suit :

- a) si une personne peut être mise en candidature pour le poste visé;
- b) si une personne a la qualité d'électeur;
- c) si une déclaration de candidature ou un vote devrait être accepté;
- d) si une déclaration de candidature comprend tous les renseignements et documents exigés par les paragraphes 10 (1) et (3);
- e) si une personne déclarée élue en application de l'alinéa 22 (1) b) ou de l'article 22.2 satisfait aux conditions d'entrée en fonction énoncées à l'article 22.1.

3. Les articles 9 et 10 du Règlement sont abrogés et remplacés par ce qui suit :

MODALITÉS PRÉALABLES AUX ÉLECTIONS

9. (1) Au moins quatre mois avant la date des élections, le registrateur en publie un avis dans la publication officielle et sur le site Web de l'Ordre.

(2) L'avis comprend ce qui suit :

- 1. La description des points suivants :
 - i. les objets et les fonctions de l'Ordre et du conseil,
 - ii. l'obligation de l'Ordre et des membres du conseil de servir et de protéger l'intérêt public,
 - iii. la nature des questions dont traite le conseil,
 - iv. les responsabilités des membres du conseil et les attentes quant à leur participation aux comités du conseil,
 - v. une estimation du temps que les membres du conseil doivent consacrer à leurs responsabilités au conseil et aux comités,
 - vi. les politiques de l'Ordre en matière de rémunération et de remboursement des frais des membres du conseil et des comités.
- 2. La liste de postes et les conditions de mise en candidature pour chacun d'eux.
- 3. Les instructions portant sur la mise en candidature.
- 4. La date limite pour la remise ou l'envoi des déclarations de candidature dûment remplies au registrateur.

5. Les détails concernant les moyens imprimés, électroniques ou autres que l'Ordre entend utiliser, le cas échéant, pour informer les électeurs sur les élections, les bulletins de vote ou les formules.
 6. Des renseignements sur l'organisation d'une visite guidée de l'Ordre.
10. (1) La mise en candidature d'une personne pour le conseil se fait par écrit sur la formule que fournit le registrateur et comprend les renseignements suivants :
1. Son nom.
 2. Son nom tel qu'elle désire le voir figurer sur le bulletin de vote.
 3. Son numéro d'inscription, délivré par l'Ordre en vertu de ses règlements administratifs.
 4. Son domicile.
 5. Ses numéros de téléphone pendant la journée et à la maison.
 6. Son adresse professionnelle et le nom de son ou ses employeurs. Si elle occupe un poste interdit figurant aux dispositions 1 à 3 du paragraphe 7.1 (8), il faut indiquer le nom de l'organisme et, s'il y a lieu, le nom de son ou ses employeurs.
 7. Le poste du conseil auquel elle se porte candidate.
 8. Une déclaration, signée et datée par elle, attestant ce qui suit :
 - i. Elle peut être mise en candidature pour le poste en question.
 - ii. Elle souhaite être mise en candidature et siéger au conseil.
 - iii. Les renseignements la concernant qui figurent dans sa déclaration de candidature sont exacts.
 - iv. Elle occupe ou non un poste interdit figurant aux dispositions 1 à 3 du paragraphe 7.1 (8).
 - v. Si elle est élue, elle devra prêter le serment ou faire l'affirmation solennelle qui est énoncé à l'article 4.1 du Règlement de l'Ontario 72/97 (Dispositions générales) pris en application de la Loi, de la manière, sous la forme et dans le délai que prévoit ce règlement.
 9. Si elle déclare, en application de la sous-disposition 8 iv, qu'elle occupe un poste interdit figurant aux dispositions 1 à 3 du paragraphe 7.1 (8), une déclaration supplémentaire, également signée et datée par elle, attestant ce qui suit :
 - i. Elle s'engage à démissionner du poste interdit avant d'entrer en fonction à titre de membre du conseil si :
 - A. elle est élue au conseil,
 - B. elle occupe un tel poste au moment où elle est élue.
 - ii. En cas de mise en candidature pour l'un des postes n^{os} 1 à 6, elle s'engage à faire de son mieux pour trouver un emploi d'enseignant chargé de cours à temps plein ou à temps partiel avant d'entrer en fonction à titre de membre du conseil si :
 - A. elle est élue au conseil,
 - B. elle n'en occupe pas déjà un au moment où elle est élue.
 - iii. En cas de mise en candidature pour l'un des postes n^{os} 7 à 12, elle s'engage à faire de son mieux pour trouver un emploi d'enseignant chargé de cours à temps plein avant d'entrer en fonction à titre de membre du conseil si :
 - A. elle est élue au conseil,
 - B. elle n'en occupe pas déjà un au moment où elle est élue.
 - iv. En cas de mise en candidature pour l'un des postes n^{os} 13 à 19, elle s'engage à faire de son mieux pour trouver un emploi qui satisfait aux exigences figurant à la colonne 3 du tableau 2 à l'égard du poste visé avant d'entrer en fonction à titre de membre du conseil si :
 - A. elle est élue au conseil,
 - B. elle n'en occupe pas déjà un au moment où elle est élue.
 - v. En cas de mise en candidature pour l'un des postes n^{os} 20 à 23, elle s'engage à faire de son mieux pour trouver un emploi qui satisfait aux exigences figurant à la colonne 3 du tableau 3 à l'égard du poste visé avant d'entrer en fonction à titre de membre du conseil si :
 - A. elle est élue au conseil,
 - B. elle n'en occupe pas déjà un au moment où elle est élue.

10. Les signatures des proposants et les renseignements à leur sujet qu'exige le paragraphe (3).

11. La notice biographique du candidat.

(2) La notice biographique visée à la disposition 11 du paragraphe (1) :

a) doit comprendre les renseignements suivants sur le candidat :

- (i) sa qualification professionnelle et son expérience en enseignement,
- (ii) son ou ses postes actuels à un conseil scolaire de district, à une administration scolaire, à une école privée ou à un établissement postsecondaire, le cas échéant,
- (iii) son appartenance actuelle et passée aux organismes figurant à l'annexe 1 ou sa participation à leurs activités,
- (iv) sa compréhension de l'obligation qu'ont l'Ordre et les membres du conseil de servir et de protéger l'intérêt public;

b) peut comprendre les renseignements suivants si le candidat le souhaite :

- (i) son appartenance à des groupements ou associations du domaine de l'éducation, à l'exception des organismes figurant à l'annexe 1, ou sa participation à leurs activités,
- (ii) ses activités de perfectionnement professionnel,
- (iii) ses autres intérêts ou activités dans le domaine de l'éducation;

c) peut comprendre un énoncé de ses objectifs professionnels si le candidat le souhaite.

(3) La déclaration de candidature comprend les signatures d'au moins 10 proposants ainsi que les renseignements suivants sur chacun d'eux :

1. Son nom.
2. Son numéro d'inscription, délivré par l'Ordre en vertu de ses règlements administratifs.
3. Son domicile.
4. Son adresse professionnelle.
5. Une déclaration, signée par le proposant, attestant ce qui suit :
 - i. il peut proposer un candidat,
 - ii. il appuie la candidature.

(4) Peut proposer un candidat à un poste tout électeur qui peut lui-même être déclaré candidat à ce poste.

(5) La déclaration de candidature n'est valide que si elle comprend tous les renseignements et les documents qu'exigent les paragraphes (1) et (3).

4. (1) La version française de l'alinéa 14 (1) a) du Règlement est modifiée par substitution de «la personne ne peut pas être mise en candidature pour le poste indiqué» à «le candidat proposé n'est pas admissible à être déclaré candidat au poste indiqué».

(2) Le paragraphe 14 (1) du Règlement est modifié par adjonction de l'alinéa suivant :

- c) celles qui ne comprennent pas tous les renseignements et les documents qu'exigent les paragraphes 10 (1) et (3).

5. (1) La version française de l'alinéa 16 (1) a) du Règlement est modifiée par substitution de «ne pouvait pas être mise en candidature pour le poste» à «n'était pas admissible à être déclarée candidate au poste».

(2) La version française de l'alinéa 16 (1) b) du Règlement est modifiée par substitution de «ne peut plus être mise en candidature pour le poste» à «a cessé d'être admissible à être déclarée candidate au poste».

(3) Le paragraphe 16 (1) du Règlement est modifié par adjonction de l'alinéa suivant :

- d) a falsifié ou n'a pas intentionnellement indiqué des renseignements qu'exige le paragraphe 10 (1) ou (3).

6. La version française du paragraphe 18 (2) du Règlement est modifiée par substitution de «peuvent être mises en candidature pour le poste» à «sont admissibles à être déclarées candidates au poste».

7. Les articles 19 et 20 du Règlement sont abrogés et remplacés par ce qui suit :

MODALITÉS D'ÉLECTION

19. (1) Le comité des élections établit les modalités d'élection.

- (2) Les modalités d'élection :
- a) prévoient la période pendant laquelle les électeurs peuvent voter;
 - b) prévoient que le registrateur doit prendre les mesures suivantes :
 - (i) prévoir une ligne téléphonique réservée aux élections qui permet aux candidats de s'informer auprès de l'Ordre sur les élections, son mandat et ses activités,
 - (ii) donner aux candidats, parallèlement à la distribution des déclarations de candidature, au moins trois possibilités de communiquer avec les électeurs par la publication officielle de l'Ordre, par son site Web ou par voie électronique.
- (3) Les modalités d'élection peuvent prévoir le recours à des moyens électroniques pour voter et compiler les résultats.
- (4) Le registrateur fait des efforts raisonnables pour veiller à ce que tout dossier qui permet d'établir un lien entre le nom d'un électeur et les voix qu'il a exprimées demeure confidentiel et ne serve que dans la mesure nécessaire au scrutin et à la compilation des résultats.
- 20. (1) Le registrateur tient la liste des électeurs, qui comprend ce qui suit :**
- a) le nom de chaque électeur;
 - b) l'adresse actuelle de chaque électeur, telle qu'il l'a fournie aux termes des règlements administratifs de l'Ordre;
 - c) les postes pour lesquels chaque électeur a le droit de voter.
- (2) Au moins un mois avant la date des élections, le registrateur veille à ce que tous les électeurs reçoivent les renseignements suivants ou sachent comme les obtenir par voie électronique :
1. La liste des postes pour lesquels les électeurs ont le droit de voter.
 2. La liste alphabétique des candidats à chaque poste.
 3. Les déclarations de candidature et tous les documents et renseignements concernant les candidats qu'exigent les paragraphes 10 (1) et (3), en ordre alphabétique pour chaque poste.
 4. Les renseignements devant figurer dans l'avis d'élections en application des sous-dispositions 1 i à vi du paragraphe 9 (2).
 5. Les instructions sur le déroulement du scrutin.
- (3) Le registrateur veille à ce que les renseignements suivants ne soient ni fournis ni disponibles dans le cadre de la disposition 3 du paragraphe (2) :
1. Le domicile du candidat, ses numéros de téléphone pendant la journée et à la maison, ainsi que son adresse professionnelle.
 2. Le domicile du proposant et son adresse professionnelle.
- (4) Le registrateur fournit un bulletin de vote à chaque électeur au moins un mois avant la date des élections.
- (5) Le registrateur peut proroger les délais accordés pour la fourniture des bulletins de vote ou la tenue du scrutin en cas d'interruption du service postal ou d'un moyen de communication électronique.

8. Le Règlement est modifié par adjonction des articles suivants :

DROIT D'ENTRER EN FONCTION

22.1 (1) Quiconque est déclaré élu au conseil en application de l'alinéa 22 (1) b) ou de l'article 22.2 peut entrer en fonction si, avant le début de son mandat, il satisfait aux exigences suivantes, en plus de celles visées au paragraphe (2), (3), (4) ou (5), selon le cas :

1. Il démissionne de tout poste interdit figurant aux dispositions 1 à 3 du paragraphe 7.1 (8) qu'il occupe.
 2. Il prête le serment ou fait l'affirmation solennelle qui est énoncé à l'article 4.1 du Règlement de l'Ontario 72/97 (Dispositions générales) pris en application de la Loi, de la manière, sous la forme et dans le délai que prévoit ce règlement.
- (2) Quiconque est déclaré élu à l'un des postes n^{os} 1 à 6 en application de l'alinéa 22 (1) b) ou de l'article 22.2 sans être un enseignant chargé de cours à temps plein ou à temps partiel ne peut entrer en fonction que s'il trouve un emploi à ce titre.
- (3) Quiconque est déclaré élu à l'un des postes n^{os} 7 à 12 en application de l'alinéa 22 (1) b) ou de l'article 22.2 sans être un enseignant chargé de cours à temps plein ne peut entrer en fonction que s'il trouve un emploi à ce titre.

(4) Quiconque est déclaré élu à l'un des postes n^{os} 13 à 19 en application de l'alinéa 22 (1) b) ou de l'article 22.2 sans avoir un emploi qui satisfait aux exigences énoncées à la colonne 3 du tableau 2 à l'égard du poste visé ne peut entrer en fonction que s'il en trouve un.

(5) Quiconque est déclaré élu à l'un des postes n^{os} 20 à 23 en application de l'alinéa 22 (1) b) ou de l'article 22.2 sans avoir un emploi qui satisfait aux exigences énoncées à la colonne 3 du tableau 3 à l'égard du poste visé ne peut entrer en fonction que s'il en trouve un.

22.2 Si la personne déclarée élue en application de l'alinéa 22 (1) b) ou du présent article ne satisfait pas aux exigences énoncées à l'article 22.1 avant le début de son mandat, le registrateur déclare élue celle qui a obtenu le plus grand nombre de voix après elle pour le même poste.

9. L'article 23 du Règlement est abrogé et remplacé par ce qui suit :

23. (1) Sous réserve du paragraphe (2), le mandat d'une personne élue au conseil débute le 1^{er} juillet de l'année d'élections et expire le 30 juin de l'année où se dérouleront les élections suivantes.

(2) Le mandat d'une personne élue au conseil en 2006 débute à la première réunion ordinaire du conseil à laquelle le quorum est atteint qui se tient après son élection et expire le 30 juin de l'année où se dérouleront les élections suivantes.

10. Le Règlement est modifié par adjonction de l'article suivant :

RAPPORT AU REGISTRATEUR

24. Quiconque est élu au conseil remet au registrateur, dans un délai de 30 jours, un rapport indiquant ce qui suit :

- a) les sommes d'argent reçues à l'égard des élections;
- b) la valeur des biens ou des services reçus à l'égard des élections;
- c) la provenance des sommes d'argent, des biens ou des services visés aux alinéas a) et b).

11. Le Règlement est modifié par adjonction des tableaux suivants :

TABLEAU 1

| Colonne 1 | Colonne 2 |
|---|---|
| Poste | Critère de résidence |
| Postes régionaux n ^{os} 1 et 7 | L'électeur ou le candidat proposé réside dans l'une des régions suivantes : Algoma, Cochrane, Kenora, Rainy River, Thunder Bay, la municipalité régionale de comté d'Abitibi, d'Abitibi-Ouest, de Rouyn-Noranda, de Témiscamingue ou de Vallée-de-l'Or au Québec ou le Manitoba. |
| Postes régionaux n ^{os} 2 et 8 | L'électeur ou le candidat proposé réside dans l'une des régions suivantes : Sudbury, Manitoulin, Timiskaming, Nipissing ou Parry Sound. |
| Postes régionaux n ^{os} 3 et 9 | L'électeur ou le candidat proposé réside dans l'une des régions suivantes : Ottawa, Prescott, Russell, Stormont, Dundas, Glengarry, Hastings, Lennox, Addington, Lanark, Renfrew, Leeds, Grenville, Frontenac, Prince Edward ou toute région du Québec ne figurant pas à la colonne 2 en regard des postes régionaux n ^{os} 1 et 7. |

| Colonne 1 | Colonne 2 |
|--|---|
| Poste | Critère de résidence |
| Postes régionaux n ^{os} 4 et 10 | L'électeur ou le candidat proposé réside dans l'une des régions suivantes : Northumberland, Kawartha Lakes, Peterborough, Clarington, Simcoe, Haliburton, Muskoka, Dufferin, Wellington, Peel, Halton, Waterloo, Niagara ou Hamilton. |
| Postes régionaux n ^{os} 5 et 11 | L'électeur ou le candidat proposé réside dans l'une des régions suivantes : Brant, Essex, Lambton, Elgin, Middlesex, Huron, Perth, Bruce, Grey, Oxford, Haldimand, Norfolk ou Chatham-Kent. |
| Postes régionaux n ^{os} 6 et 12 | L'électeur ou le candidat proposé réside dans l'une des régions suivantes : Toronto, York, Durham (à l'exclusion de Clarington) ou toute région ne figurant pas à la colonne 2 en regard des postes régionaux n ^{os} 1 à 5 ou 7 à 11. |

TABLEAU 2

| Colonne 1 | Colonne 2 | Colonne 3 |
|-------------------------|---|---|
| Poste | Description du poste | Exigences |
| Poste n ^o 13 | Conseil public de langue anglaise — niveau élémentaire | La personne satisfait à toutes les exigences suivantes : <ol style="list-style-type: none"> 1. Elle est employée par un conseil scolaire de district public de langue anglaise, l'Administration des écoles provinciales ou une administration scolaire, à l'exclusion d'une administration scolaire catholique ou du conseil d'un district d'écoles secondaires créé en vertu de l'article 67 de la <i>Loi sur l'éducation</i>. 2. Elle est employée à titre d'enseignant de l'élémentaire. 3. Elle possède les qualités requises pour dispenser l'enseignement dans un cours ou une classe du cycle primaire ou moyen ou des deux premières années du cycle intermédiaire. 4. Elle n'est pas employée dans un module scolaire de langue française. 5. Elle est un enseignant chargé de cours à temps plein. |

| Colonne 1 | Colonne 2 | Colonne 3 |
|-------------|---|---|
| Poste | Description du poste | Exigences |
| Poste n° 14 | Conseil public de langue anglaise — niveau secondaire | <p>La personne satisfait à toutes les exigences suivantes :</p> <ol style="list-style-type: none"> 1. Elle est employée par un conseil scolaire de district public de langue anglaise, une administration scolaire publique ou l'Administration des écoles provinciales. 2. Elle est employée à titre d'enseignant du secondaire. 3. Elle possède les qualités requises pour dispenser l'enseignement dans un cours ou une classe soit des deux dernières années du cycle intermédiaire, soit du cycle supérieur. 4. Elle n'est pas employée dans un module scolaire de langue française. 5. Elle est un enseignant chargé de cours à temps plein. |
| Poste n° 15 | Conseil catholique de langue anglaise — niveau élémentaire | <p>La personne satisfait à toutes les exigences suivantes :</p> <ol style="list-style-type: none"> 1. Elle est employée par un conseil scolaire de district séparé de langue anglaise ou une administration scolaire catholique. 2. Elle est employée à titre d'enseignant de l'élémentaire. 3. Elle possède les qualités requises pour dispenser l'enseignement dans un cours ou une classe du cycle primaire ou moyen ou des deux premières années du cycle intermédiaire. 4. Elle n'est pas employée dans un module scolaire de langue française. 5. Elle est un enseignant chargé de cours à temps plein. |

| Colonne 1 | Colonne 2 | Colonne 3 |
|-------------|--|---|
| Poste | Description du poste | Exigences |
| Poste n° 16 | Conseil catholique de langue anglaise — niveau secondaire | <p>La personne satisfait à toutes les exigences suivantes :</p> <ol style="list-style-type: none"> 1. Elle est employée par un conseil scolaire de district séparé de langue anglaise. 2. Elle est employée à titre d'enseignant du secondaire. 3. Elle possède les qualités requises pour dispenser l'enseignement dans un cours ou une classe soit des deux dernières années du cycle intermédiaire, soit du cycle supérieur. 4. Elle est un enseignant chargé de cours à temps plein. |
| Poste n° 17 | Conseil catholique de langue française — niveau élémentaire | <p>La personne satisfait à toutes les exigences suivantes :</p> <ol style="list-style-type: none"> 1. Elle est employée par un conseil scolaire de district séparé de langue française ou une administration scolaire catholique qui fait fonctionner un module scolaire de langue française. 2. Elle est employée à titre d'enseignant de l'élémentaire. 3. Elle possède les qualités requises pour dispenser l'enseignement dans un cours ou une classe du cycle primaire ou moyen ou des deux premières années du cycle intermédiaire. 4. Elle est employée dans un module scolaire de langue française. 5. Elle est un enseignant chargé de cours à temps plein. |
| Poste n° 18 | Conseil catholique de langue française — niveau secondaire | <p>La personne satisfait à toutes les exigences suivantes :</p> <ol style="list-style-type: none"> 1. Elle est employée par un conseil scolaire de district séparé de langue française. |

| Colonne 1 | Colonne 2 | Colonne 3 |
|-------------|---|--|
| Poste | Description du poste | Exigences |
| | | <ol style="list-style-type: none"> 2. Elle est employée à titre d'enseignant du secondaire. 3. Elle possède les qualités requises pour dispenser l'enseignement dans un cours ou une classe soit des deux dernières années du cycle intermédiaire, soit du cycle supérieur. 4. Elle est un enseignant chargé de cours à temps plein. |
| Poste n° 19 | Conseil public de langue française — niveau élémentaire ou secondaire | <p>La personne satisfait à toutes les exigences suivantes :</p> <ol style="list-style-type: none"> 1. Elle est employée par un conseil scolaire de district public de langue française, une administration scolaire publique qui fait fonctionner un module scolaire de langue française ou l'Administration des écoles provinciales au Centre Jules-Léger. 2. Selon le cas : <ol style="list-style-type: none"> i. elle est employée à titre d'enseignant de l'élémentaire et possède les qualités requises pour dispenser l'enseignement dans un cours ou une classe du cycle primaire ou moyen ou des deux premières années du cycle intermédiaire, ii. elle est employée à titre d'enseignant du secondaire et possède les qualités requises pour dispenser l'enseignement dans un cours ou une classe soit des deux dernières années du cycle intermédiaire, soit du cycle supérieur. 3. Elle est employée dans un module scolaire de langue française. 4. Elle est un enseignant chargé de cours à temps plein. |

TABLEAU 3

| Colonne 1 | Colonne 2 | Colonne 3 |
|-------------|---|---|
| Poste | Description du poste | Exigences |
| Poste n° 20 | Directeur d'école/ directeur adjoint | La personne est employée à titre de directeur d'école ou de directeur adjoint. |
| Poste n° 21 | Agents de supervision | La personne est employée à titre d'agent de supervision. |
| Poste n° 22 | Écoles privées | La personne est employée par une école privée qui a présenté un avis d'intention en vigueur aux termes de l'article 16 de la <i>Loi sur l'éducation</i> . |
| Poste n° 23 | Facultés d'éducation | La personne est employée : a) à un poste permanent ou conduisant à la permanence au sein du corps professoral; b) par une université ou un autre établissement postsecondaire; c) à une école ou faculté d'éducation, ou l'équivalent, qui offre un programme de formation professionnelle ou un programme de qualification additionnelle agréé par l'Ordre en vertu du Règlement de l'Ontario 347/02 (Agréement des programmes de formation des enseignants) pris en application de la Loi. |

12. Le Règlement est modifié par adjonction de l'annexe suivante :

ANNEXE 1

1. L'Association des directions et directions adjointes des écoles franco-ontariennes.
2. L'Association des enseignantes et des enseignants franco-ontariens.
3. L'Association des gestionnaires de l'éducation franco-ontarienne.
4. Le conseil appelé Catholic Principals' Council of Ontario.
5. Le Conseil ontarien des directrices et directeurs de l'éducation.
6. La Fédération des enseignantes et des enseignants de l'élémentaire de l'Ontario.
7. L'association appelée Ontario Catholic Supervisory Officers' Association.
8. L'association appelée Ontario English Catholic Teachers' Association.
9. Le ministère de l'Éducation de l'Ontario.
10. Le conseil appelé Ontario Principals' Council.
11. L'association appelée Ontario Public Supervisory Officials' Association.
12. La Fédération des enseignantes-enseignants des écoles secondaires de l'Ontario.
13. La Fédération des enseignantes et des enseignants de l'Ontario.

Made by:
Pris par :

COUNCIL OF THE ONTARIO COLLEGE OF TEACHERS:
CONSEIL DE L'ORDRE DES ENSEIGNANTES ET DES ENSEIGNANTS DE L'ONTARIO :

MARILYN A. LAFRAMBOISE
Chair

W. DOUGLAS WILSON
Registrar and Chief Executive Officer

Date made: June 2, 2006.
Pris le : 2 juin 2006.

26/06

ONTARIO REGULATION 271/06

made under the

ONTARIO COLLEGE OF TEACHERS ACT, 1996

Made: June 2, 2006
Approved: June 7, 2006
Filed: June 12, 2006
Published on e-Laws: June 14, 2006
Printed in *The Ontario Gazette*: July 1, 2006

Amending O. Reg. 72/97
(General)

Note: Ontario Regulation 72/97 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Ontario Regulation 72/97 is amended by adding the following section:

OATH OR AFFIRMATION

4.1 (1) A person elected or appointed to Council shall, before taking office, swear an oath or make an affirmation as follows:

I will faithfully and impartially, to the best of my knowledge and skill, perform the duties of a member of the Council of the College and any committees of the Council on which I sit.

In so doing, I will ensure that the guiding principle in the performance of my duties is the duty to serve and protect the public interest, which is my duty as a Council member and a duty of the College.

I will perform the duties of my position without favour or ill will to any person or entity.

I will ensure that other memberships, directorships, voluntary or paid positions or affiliations that I may hold will not interfere or conflict with the performance of my duties as a Council member.

So help me God. (Omit this line in an affirmation.)

(2) In swearing the oath or making the affirmation, the person shall use the form provided by the Registrar.

(3) The oath shall be sworn or the affirmation shall be made before a commissioner for taking affidavits.

(4) The person elected or appointed to Council shall swear the oath or make the affirmation, and present the completed form referred to under subsection (2) to the Registrar, by,

- (a) the first meeting of Council that the person would otherwise be eligible to attend as a Council member; or
- (b) such other date as is determined by the Registrar, but in any event no later than one month after the meeting mentioned in clause (a).

(5) The person elected or appointed to Council may not take office if he or she fails to swear the oath or make the affirmation required under subsection (1).

2. Section 5 of the Regulation is revoked and the following substituted:

QUORUM AT COUNCIL MEETINGS

5. Nineteen members of the Council, at least five of whom shall be persons appointed to the Council under clause 4 (2) (b) of the Act, constitute a quorum of the Council.

3. (1) Subsection 6 (1) of the Regulation is amended by striking out the portion before clause (a) and substituting the following:

(1) The Council shall disqualify an elected member of the Council from sitting on the Council if, at any point during the member's term, the member,

.

(2) Subsection 6 (1) of the Regulation is amended by striking out "or" at the end of clause (f), by revoking clause (g) and substituting the following:

- (g) fails or ceases to meet the criteria set out in Ontario Regulation 293/00 (Election of Council Members) made under the Act for eligibility to be nominated for the position for which the member was elected, as that regulation read on the day the member was declared elected;
- (h) fails or ceases to meet the criteria set out in Ontario Regulation 293/00 (Election of Council Members) made under the Act for eligibility to take the position for which the member was elected, as that regulation read on the day the member was declared elected, or takes a position from which he or she would have been required to resign as a condition of eligibility to take the position for which he or she was elected; or
- (i) in the case of a person who was a part-time classroom teacher, as defined in Ontario Regulation 293/00 (Election of Council Members) made under the Act, on the day the member was declared elected, provides instructional services, within the meaning of that regulation, on fewer than 10 days during each year of the person's term of office.

(3) Section 6 of the Regulation is amended by adding the following subsection:

(1.1) Despite subsection (1), the chair of Council shall not be disqualified for failing or ceasing to meet the criteria for eligibility to take the position for which he or she was elected if the Council determines that the chair could not otherwise fulfil his or her duties as chair.

4. Paragraph 2 of section 26 of the Regulation is revoked and the following substituted:

- 2. A college of applied arts and technology established by regulation under subsection 2 (1) of the *Ontario Colleges of Applied Arts and Technology Act, 2002*.

RÈGLEMENT DE L'ONTARIO 271/06

pris en application de la

LOI DE 1996 SUR L'ORDRE DES ENSEIGNANTES ET DES ENSEIGNANTS DE L'ONTARIO

pris le 2 juin 2006

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modifiant le Règl. de l'Ont. 72/97

(Dispositions générales)

Remarque : Le Règlement de l'Ontario 72/97 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des règlements qui se trouve sur le site www.lois-en-ligne.gouv.on.ca.

1. Le Règlement de l'Ontario 72/97 est modifié par adjonction de l'article suivant :

SERMENT OU AFFIRMATION SOLENNELLE

4.1 (1) Avant d'entrer en fonction, la personne élue ou nommée au conseil prête le serment ou fait l'affirmation solennelle qui suit :

Je m'acquitterai loyalement et impartialement, au mieux de mes connaissances et de ma compétence, des fonctions de membre du conseil de l'Ordre et des comités du conseil auxquels je siège.

Ce faisant, je veillerai à me laisser guider, dans l'exercice de mes fonctions, par le devoir de servir et de protéger l'intérêt public, devoir qui incombe tant à moi, en qualité de membre du conseil, qu'à l'Ordre.

Je m'acquitterai des fonctions de ma charge sans faire preuve de favoritisme ou de mauvaise volonté à l'égard d'une personne ou d'une entité.

Je veillerai à ce qu'aucune charge d'administrateur, appartenance ou affiliation ou aucun poste, rémunéré ou non, n'entrave l'exercice de mes fonctions de membre du conseil ou ne soit incompatible avec lui.

Ainsi Dieu me soit en aide. (Omettre cette phrase en cas d'affirmation solennelle)

(2) La personne utilise la formule que fournit le registrateur pour prêter le serment ou faire l'affirmation solennelle.

(3) L'assermentation ou l'affirmation solennelle se déroule devant un commissaire aux affidavits.

(4) La personne élue ou nommée au conseil prête le serment ou fait l'affirmation solennelle et présente au registrateur la formule visée au paragraphe (2), dûment remplie :

a) soit au plus tard à la première réunion du conseil à laquelle elle pourrait assister par ailleurs en qualité de membre du conseil;

b) soit à la date que détermine le registrateur, au plus tard un mois après la tenue de la réunion mentionnée à l'alinéa a).

(5) La personne élue ou nommée au conseil qui ne prête pas le serment ou ne fait pas l'affirmation solennelle qu'exige le paragraphe (1) ne peut pas entrer en fonction.

2. L'article 5 du Règlement est abrogé et remplacé par ce qui suit :

QUORUM AUX RÉUNIONS DU CONSEIL

5. Dix-neuf membres du conseil, dont au moins cinq sont nommés au conseil aux termes de l'alinéa 4 (2) b) de la Loi, constituent le quorum du conseil.

3. (1) Le paragraphe 6 (1) du Règlement est modifié par substitution de ce qui suit au passage qui précède l'alinéa a) :

(1) Le conseil déclare inapte à siéger au conseil le membre élu qui, au cours de son mandat :

(2) Le paragraphe 6 (1) du Règlement est modifié par substitution de ce qui suit à l'alinéa g) :

g) omet ou cesse de satisfaire aux critères de mise en candidature pour le poste auquel il a été élu qui sont énoncés dans le Règlement de l'Ontario 293/00 (Élection des membres du conseil) pris en application de la Loi, tel qu'il existait le jour où il a été déclaré élu;

h) omet ou cesse de satisfaire aux critères d'entrée en fonction au poste auquel il a été élu qui sont énoncés dans le Règlement de l'Ontario 293/00 (Élection des membres du conseil) pris en application de la Loi, tel qu'il existait le jour où il a été déclaré élu, ou accepte un poste dont il aurait dû démissionner comme condition d'entrée en fonction au poste auquel il a été élu;

i) offre des services liés à l'enseignement, au sens du Règlement de l'Ontario 293/00 (Élection des membres du conseil) pris en application de la Loi, moins de 10 jours par année de mandat, s'il s'agit d'un enseignant chargé de cours à temps partiel, au sens de ce règlement, le jour où il a été déclaré élu.

(3) L'article 6 du Règlement est modifié par adjonction du paragraphe suivant :

(1.1) Malgré le paragraphe (1), le président du conseil ne peut être déclaré inapte s'il omet ou cesse de satisfaire aux critères d'entrée en fonction au poste auquel il a été élu si le conseil établit qu'il ne pourrait pas autrement s'acquitter de ses fonctions.

4. La disposition 2 de l'article 26 du Règlement est abrogée et remplacée par ce qui suit :

2. Les collèges d'arts appliqués et de technologie ouverts par règlement en vertu du paragraphe 2 (1) de la *Loi de 2002 sur les collèges d'arts appliqués et de technologie de l'Ontario*.

Made by:
Pris par :

COUNCIL OF THE ONTARIO COLLEGE OF TEACHERS:
CONSEIL DE L'ORDRE DES ENSEIGNANTES ET DES ENSEIGNANTS DE L'ONTARIO :

MARILYN A. LAFRAMBOISE
Chair

W. DOUGLAS WILSON
Registrar and Chief Executive Officer

Date made: June 2, 2006.
Pris le : 2 juin 2006.

26/06

ONTARIO REGULATION 272/06

made under the

HEALTH INSURANCE ACT

Made: June 7, 2006
Filed: June 12, 2006
Published on e-Laws: June 14, 2006
Printed in *The Ontario Gazette*: July 1, 2006

USE AND DISCLOSURE OF PERSONAL INFORMATION

Definitions

1. In this Regulation,

“health information custodian” means a health information custodian as that term is defined in section 3 of the *Personal Health Information Protection Act, 2004*;

“personal health information” means personal information that is personal health information within the meaning of section 4 of the *Personal Health Information Protection Act, 2004*.

Use

2. If, in the opinion of the Minister or General Manager, as the case may be, the use is necessary for the purpose, the Minister or General Manager may use personal health information for the purpose of developing and maintaining an electronic master person index for the Province of Ontario's health sector to accurately identify and organize records of personal health information that relate to an individual.

Disclosure

3. If, in the opinion of the Minister or General Manager, as the case may be, the disclosure is necessary for the purpose, the Minister or General Manager shall disclose personal health information from the index mentioned in section 2 to a health information custodian that has been provided access to the index for the purpose of assisting the health information custodian in accurately identifying and organizing records of personal health information that relate to an individual.

26/06

ONTARIO REGULATION 273/06

made under the

MUNICIPAL ACT, 2001

Made: June 7, 2006

Filed: June 12, 2006

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Amending O. Reg. 204/03

(Powers of the Minister or a Commission in Implementing a Restructuring Proposal)

Note: Ontario Regulation 204/03 has not previously been amended.

1. Ontario Regulation 204/03 is amended by adding the following section:

Special case

30.1 Despite section 30, the Minister may implement a restructuring proposal in respect of the annexation of part of the Township of East Zorra-Tavistock to the City of Woodstock to take effect on July 1, 2006.

RÈGLEMENT DE L'ONTARIO 273/06

pris en application de la

LOI DE 2001 SUR LES MUNICIPALITÉS

pris le 7 juin 2006

déposé le 12 juin 2006

publié sur le site Lois-en-ligne le 14 juin 2006

imprimé dans la *Gazette de l'Ontario* le 1^{er} juillet 2006

modifiant le Règl. de l'Ont. 204/03

(Pouvoirs du ministre ou d'une commission pour la mise en oeuvre d'une proposition de restructuration)

Remarque : Le Règlement de l'Ontario 204/03 n'a pas été modifié antérieurement.

1. Le Règlement de l'Ontario 204/03 est modifié par adjonction de l'article suivant :

Cas particulier

30.1 Malgré l'article 30, le ministre peut mettre en oeuvre une proposition de restructuration à l'égard de l'annexion d'une partie du canton d'East Zorra-Tavistock à la cité de Woodstock, laquelle entre en vigueur le 1^{er} juillet 2006.

26/06

ONTARIO REGULATION 274/06

made under the

EDUCATION ACT

Made: June 7, 2006

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Printed in *The Ontario Gazette*: July 1, 2006

Amending O. Reg. 486/01

(Continuation, Areas of Jurisdiction and Names of District School Boards)

Note: Ontario Regulation 486/01 has previously been amended. Those amendments are listed in the Table of Regulations - Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Sections 16 and 17 of Ontario Regulation 486/01 are revoked and the following substituted:

2006 election

16. Despite section 5 of Ontario Regulation 72/06, the amendments set out in Ontario Regulation 72/06 are deemed to have come into force and to have taken effect on January 1, 2006 for all purposes related to representation on or elections to district school boards.

RÈGLEMENT DE L'ONTARIO 274/06

pris en application de la

LOI SUR L'ÉDUCATION

pris le 7 juin 2006

déposé le 12 juin 2006

publié sur le site Lois-en-ligne le 14 juin 2006

imprimé dans la *Gazette de l'Ontario* le 1^{er} juillet 2006

modifiant le Règl. de l'Ont. 486/01

(Prorogation, territoires de compétence et noms des conseils scolaires de district)

Remarque : Le Règlement de l'Ontario 486/01 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des règlements qui se trouve sur le site www.lois-en-ligne.gouv.on.ca.

1. Les articles 16 et 17 du Règlement de l'Ontario 486/01 sont abrogés et remplacés par ce qui suit :

Élections de 2006

16. Malgré l'article 5 du Règlement de l'Ontario 72/06, les modifications énoncées dans ce règlement sont réputées être entrées en vigueur et avoir pris effet le 1^{er} janvier 2006 à toutes fins liées à la représentation au sein des conseils scolaires de district ou à l'élection de leurs membres.

26/06

ONTARIO REGULATION 275/06

made under the

RETAIL SALES TAX ACT

Made: June 7, 2006

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Printed in *The Ontario Gazette*: July 1, 2006

Amending Reg. 1013 of R.R.O. 1990

(General)

Note: Regulation 1013 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. (1) Section 1 of Regulation 1013 of the Revised Regulations of Ontario, 1990 is amended by adding the following definition:

“advertising feature” means a section or part of a newspaper that is printed by or for the publisher of the newspaper for exclusive distribution with the newspaper and that identifies the newspaper's name and date of issue on its pages;

(2) The definition of “advertising insert or supplement” in section 1 of the Regulation is amended by striking out “that is printed” in the portion before clause (a) and by striking out clauses (a) and (b).

(3) The definition of “newspapers” in section 1 of the Regulation is revoked and the following substituted:

“newspaper” means a printed publication that contains news, advertising and literary matter that is issued at least once a week if it is unbound and at least five times a week if it is bound, and

- (a) includes a magazine as defined in subsection 1 (1) of Regulation 1012 of the Revised Regulations of Ontario, 1990 (Definitions, Exemptions and Rebates) made under the Act, but only if the magazine is distributed with the printed publication, and
- (b) does not include,
- (i) an advertising insert or supplement, or
 - (ii) an envelope wrapper, folder or other covering for the distribution of promotional materials;

2. This Regulation is deemed to have come into force on January 1, 2000.

26/06

ONTARIO REGULATION 276/06
made under the
ENVIRONMENTAL ASSESSMENT ACT

Made: June 12, 2006
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Printed in *The Ontario Gazette*: July 1, 2006

DESIGNATION AND EXEMPTION OF INTEGRATED POWER SYSTEM PLAN

Definition

1. (1) In this Regulation,

“integrated power system plan” means any integrated power system plan developed by the Ontario Power Authority under Part II.2 of the *Electricity Act, 1998*.

(2) For greater certainty, an integrated power system plan includes each version of an integrated power system plan developed by the Ontario Power Authority, whether or not required by the Minister of Energy, and whether or not it is approved by the Ontario Energy Board or is referred by the Ontario Energy Board back to the Ontario Power Authority.

Designation and exemption from Part II of the Act — integrated power system plan

2. (1) Every integrated power system plan is defined as a major commercial or business enterprise or activity and is designated as an undertaking to which the Act applies.

(2) The undertakings that are designated under subsection (1) are exempt from Part II of the Act.

Exemption from Part II of the Act — Crown undertakings

3. (1) Any enterprise or activity related to an integrated power system plan, or any proposal, plan or program in respect of such enterprise or activity, carried out by or on behalf of Her Majesty in right of Ontario is exempt from Part II of the Act.

(2) Despite subsection 2 (2) and subsection (1) of this section, an enterprise or activity, or a proposal, plan or program in respect of an enterprise or activity, that is included in an integrated power system plan and that is designated under another regulation made under the Act as an undertaking or class of undertakings to which the Act applies is not exempt from Part II of the Act.

(3) Where an enterprise or activity, or a proposal, plan or program in respect of an enterprise or activity, that is included in an integrated power system plan is exempt from Part II of the Act pursuant to another regulation or order made under the Act, the other regulation or order applies to the enterprise or activity, or proposal, plan or program in respect of the enterprise or activity, and subsection 2 (2) and subsection (1) of this section do not apply to it.

(4) Where an enterprise or activity, or a proposal, plan or program in respect of an enterprise or activity, that is included in an integrated power system plan is subject to an approval under Part II or II.1 of the Act, the approval applies to the enterprise or activity, or proposal, plan or program in respect of the enterprise or activity, and subsection 2 (2) and subsection (1) of this section do not apply to it.

26/06

ONTARIO REGULATION 277/06

made under the

ELECTRICITY ACT, 1998

Made: June 12, 2006

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Published on e-Laws: June 14, 2006

Printed in *The Ontario Gazette*: July 1, 2006

Amending O. Reg. 424/04

(Integrated Power System Plan)

Note: Ontario Regulation 424/04 has not previously been amended.

1. Section 2 of Ontario Regulation 424/04 is revoked and the following substituted:**Development of integrated power system plan**

2. (1) In developing an integrated power system plan under subsection 25.30 (1) of the Act, the OPA shall follow directives that have been issued by the Minister under subsection 25.30 (2) of the Act and shall do the following:

1. Consult with consumers, distributors, generators, transmitters and other persons who have an interest in the electricity industry in order to ensure that their priorities and views are considered in the development of the plan.
2. Identify and develop innovative strategies to accelerate the implementation of conservation, energy efficiency and demand management measures.
3. Identify opportunities to use natural gas in high efficiency and high value applications in electricity generation.
4. Identify and develop innovative strategies to encourage and facilitate competitive market-based responses and options for meeting overall system needs.
5. Identify measures that will reduce reliance on procurement under section 25.32 of the Act.
6. Identify factors that it must consider in determining that it is advisable to enter into procurement contracts under subsection 25.32 (1) of the Act.
7. Ensure that safety, environmental protection and environmental sustainability are considered in developing the plan.
8. Ensure that for each electricity project recommended in the plan that meets the criteria set out in subsection (2), the plan contains a sound rationale including,
 - i. an analysis of the impact on the environment of the electricity project, and
 - ii. an analysis of the impact on the environment of a reasonable range of alternatives to the electricity project.

(2) For the purposes of paragraph 8 of subsection (1), the following are the criteria:

1. An environmental assessment of the electricity project under Part II of the *Environmental Assessment Act* must be required.
2. The electricity project, based on the recommended date for completion of the project in the plan, will in the opinion of the OPA require that an application for approval for an undertaking be made under the *Environmental Assessment Act* within five years after the approval of the plan by the Board.

(3) In this section,

“electricity project” means a project that includes one or more of a transmission line, generation facility, transformer station or distribution station;

“environment” means air, land, water, plant life and animal life, including human life and “environmental” has a corresponding meaning.

ONTARIO REGULATION 278/06

made under the

PUBLIC TRANSPORTATION AND HIGHWAY IMPROVEMENT ACT

Made: June 7, 2006
Filed: June 13, 2006
Published on e-Laws: June 14, 2006
Printed in *The Ontario Gazette*: July 1, 2006

Amending O. Reg. 104/97
(Standards for Bridges)

Note: Ontario Regulation 104/97 has previously been amended. Those amendments are listed in the Table of Regulations ... Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. The definition of “road authority” in section 1 of Ontario Regulation 104/97 is revoked.

2. Subsection 2 (3) of the Regulation is revoked and the following substituted:

(3) The structural integrity, safety and condition of every bridge shall be determined through the performance of at least one inspection in every second calendar year under the direction of a professional engineer and in accordance with the *Ontario Structure Inspection Manual*, published by the Ministry, as it may be amended from time to time.

(3.1) For greater certainty, the inspection referred to in subsection (3) may be performed at any time in the calendar year, regardless of when in a prior calendar year the previous inspection was performed.

Made by:

DONNA H. CANSFIELD
Minister of Transportation

Date made: June 7, 2006.

26/06

ONTARIO REGULATION 279/06

made under the

AGRICULTURAL AND HORTICULTURAL ORGANIZATIONS ACT

Made: June 7, 2006
Filed: June 13, 2006
Published on e-Laws: June 15, 2006
Printed in *The Ontario Gazette*: July 1, 2006

Amending Reg. 17 of R.R.O. 1990
(Names)

Note: Regulation 17 has not previously been amended.

1. Regulation 17 of the Revised Regulations of Ontario, 1990 is amended by adding the following French version:

DÉNOMINATIONS SOCIALES

1. L'association agricole qui demande sa constitution en personne morale en vertu de la Loi fournit les renseignements suivants :

1. L'original d'un rapport de recherche informatique portant principalement sur l'Ontario et provenant du système informatisé pour la recherche de dénominations sociales et de marques de commerce (NUANS) dont le ministère de la Consommation et des Affaires commerciales (Canada) est propriétaire, visant à déceler une dénomination sociale identique à celle qui est proposée dans les statuts constitutifs et fait dans les 90 jours précédant la présentation de la demande.
2. Si la dénomination sociale proposée est semblable ou identique à une dénomination sociale déjà employée, le consentement à l'emploi de la dénomination sociale donné par la personne qui en est propriétaire.
2. L'association agricole ne doit pas avoir une dénomination sociale reproduisant les expressions et les mots suivants :
 1. «Association», «Ontario» ou autre mot ou expression qui indique qu'elle est un organisme représentatif, à moins que les deux tiers des personnes représentées par la dénomination sociale de l'association agricole ne soient membres de celle-ci.
 2. «College», «institute» ou «university», sans une autorisation écrite donnée au nom du ministère des Collèges et Universités.
 3. «Engineer», «engineering» ou un dérivé de ces mots, sans l'autorisation écrite de l'Association of Professional Engineers of the Province of Ontario.
 4. «Housing» à moins que le gouvernement du Canada, le gouvernement de l'Ontario ou une administration municipale de l'Ontario ne soit propriétaire de l'association agricole, ne la parraine ou n'ait des liens avec elle.
 5. «Royal», employé comme qualificatif, sans l'autorisation du secrétaire d'État au nom de la Couronne.
 6. Des chiffres indiquant l'année de la constitution en personne morale.
 7. Des mots ou des expressions qui amèneraient une personne à conclure qu'elle est une société par actions.
3. À moins que la dénomination sociale proposée pour l'association agricole n'ait été employée sans interruption pendant au moins 20 ans avant la date de dépôt de la demande ou que, par l'emploi qui en est fait, elle n'ait acquis une signification qui la rende distinctive, la dénomination sociale de l'association agricole ne doit pas être :
 - a) trop générale;
 - b) formée principalement ou uniquement du prénom ou du nom de famille, employé seul, d'un particulier vivant ou décédé au cours des 30 années précédant la date de dépôt de la demande de statuts constitutifs contenant la dénomination sociale;
 - c) formée principalement ou uniquement d'un toponyme employé seul.
4. La dénomination sociale de l'association agricole ne doit contenir aucun mot ni expression dont un des éléments correspond au nom de famille d'un particulier vivant ou décédé au cours des 30 années précédentes, que cet élément soit précédé ou non d'un prénom ou d'initiales, sans l'autorisation écrite du particulier ou de son héritier, de son exécuteur testamentaire, de son administrateur successoral, de ses ayants droit ou de son tuteur.
5. La dénomination sociale de l'association agricole ne doit contenir aucun mot ni expression, en quelque langue que ce soit, qui décrit de façon trompeuse les activités ou les services liés à l'emploi de la dénomination sociale proposée.
6. (1) Seuls les lettres de l'alphabet latin ou les chiffres arabes, ou une combinaison de ceux-ci, ainsi que les signes de ponctuation et les autres signes indiqués au paragraphe (2) peuvent faire partie de la dénomination sociale de l'association agricole.
- (2) La dénomination sociale de l'association agricole peut comprendre les signes de ponctuation et autres signes suivants :
! " # % & ' () * + , - . / : ; < = > ? []
- (3) La dénomination sociale de l'association agricole ne doit pas comprendre uniquement ni principalement une combinaison des signes indiqués au paragraphe (2).
- (4) Des lettres de l'alphabet latin ou des chiffres arabes, ou une combinaison de ceux-ci, forment les trois premiers caractères au moins de la dénomination sociale de l'association agricole.
7. La dénomination sociale de l'association agricole :
 - a) ne doit pas comprendre plus de 120 caractères, y compris les signes de ponctuation et les espaces;
 - b) est indiquée en majuscules d'imprimerie dans les demandes déposées aux termes de la Loi.
8. Les dénominations sociales des sociétés agricoles et des sociétés horticoles constituées en personnes morales en vertu des parties III et IV, respectivement, de la Loi reproduisent respectivement les mots «agricultural society» et «horticultural society».

ONTARIO REGULATION 280/06

made under the

ANIMALS FOR RESEARCH ACT

Made: June 7, 2006

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Amending Reg. 25 of R.R.O. 1990
(Transportation)

Note: Regulation 25 has not previously been amended.

1. Regulation 25 of the Revised Regulations of Ontario, 1990 is amended by adding the following French version:

TRANSPORT

1. Les définitions qui suivent s'appliquent au présent règlement.

«bétail» Bovins, chèvres, chevaux, moutons ou porcs. («livestock»)

«conteneur d'expédition à usage unique» Conteneur d'expédition qui n'est pas un conteneur d'expédition réutilisable.
(«disposable shipping container»)

«conteneur d'expédition réutilisable» Conteneur d'expédition dont la conception, la construction, l'entretien et la composition :

- a) permettent de le désinfecter facilement;
- b) empêchent les insectes ou les germes pathogènes de s'y nicher facilement. («re-usable shipping container»)

«désinfecter» Nettoyer dans le but de contrôler les germes pathogènes. («sanitize»)

2. Le présent règlement s'applique au transport d'animaux utilisés ou destinés à être utilisés par un service de recherche.

3. (1) Les véhicules servant au transport des animaux ne doivent pas présenter de défauts mécaniques qui sont de nature à nuire à la santé, au bien-être ou au confort des animaux.

(2) Sauf dans le cas des poissons, les véhicules sont équipés de façon à fournir suffisamment d'air frais à tous les animaux transportés, sans les exposer à des courants d'air nuisibles.

(3) La partie des véhicules réservée au transport des animaux est maintenue à une température convenant à la santé, au bien-être et au confort des animaux.

(4) La partie des véhicules réservée au transport des animaux est construite et entretenue de façon à empêcher, dans la mesure du possible, l'infiltration de gaz d'échappement.

(5) La partie des véhicules réservée au transport des animaux est construite et entretenue de façon à pouvoir être facilement désinfectée.

4. (1) Le présent article s'applique à tous les animaux, sauf aux poissons et au bétail.

(2) Les animaux sont expédiés à l'intérieur :

- a) soit de cages ou de conteneurs d'expédition réutilisables;
- b) soit de conteneurs d'expédition à usage unique;
- c) soit de compartiments faisant partie intégrante du véhicule.

(3) Les cages, les conteneurs d'expédition et les compartiments visés au paragraphe (2) :

- a) sont construits et entretenus de façon à empêcher les animaux de s'en échapper facilement;
- b) offrent assez d'espace pour permettre à tous les animaux de s'y tenir debout, de s'y asseoir et de s'y coucher;
- c) sont construits et entretenus de façon à ne pas faire de mal aux animaux;
- d) sont construits et entretenus de façon à fournir une ventilation suffisante et constante pendant le transit;

- e) lorsqu'ils sont placés les uns au-dessus des autres, sont munis d'un plancher qui est à l'épreuve de l'humidité et qui est construit et entretenu de façon à empêcher les excréments d'entrer dans une autre cage, un autre conteneur d'expédition ou un autre compartiment;
 - f) sont construits et entretenus de façon à protéger les animaux, dans une mesure raisonnable, contre toute contamination causée par les excréments ou les vomissures;
 - g) sont construits et entretenus de façon à toujours permettre un accès facile aux animaux pendant le transit.
- (4) Les cages, les conteneurs d'expédition réutilisables et les compartiments visés au paragraphe (2) sont maintenus dans un état de salubrité constant.
- (5) Les conteneurs d'expédition à usage unique ne doivent pas être utilisés plus d'une fois.
5. (1) Le présent article ne s'applique qu'au bétail.
- (2) Le plancher de la stalle ou du compartiment du véhicule servant au transport du bétail ou de la rampe utilisée à cet égard est construit et entretenu de façon à présenter une surface exempte de trous ou de fentes pouvant exposer le bétail à des risques de blessure.
- (3) Les stalles ou les compartiments des véhicules servant au transport du bétail et les rampes utilisées à cet égard sont exempts de saillies, de trous ou d'objets pouvant exposer le bétail à des risques de blessure.
- (4) Les stalles ou les compartiments des véhicules servant au transport du bétail sont pourvus de litières propres, dont l'épaisseur assure le confort et la sécurité du bétail.
6. (1) Le présent article ne s'applique qu'aux poissons.
- (2) Les poissons sont transportés dans un conteneur construit et entretenu de façon à contenir suffisamment d'eau pour répondre à leurs besoins et leur fournir l'oxygène nécessaire à leur santé, à leur bien-être et à leur confort.
- (3) Les poissons sont maintenus dans un volume adéquat d'eau dont l'oxygénation et la température conviennent à leur santé, à leur bien-être et à leur confort.
7. Les véhicules servant au transport des animaux sont munis, pendant leur utilisation, d'une couverture empêchant les rayons du soleil, la pluie, la grêle ou la neige d'entrer directement dans la partie réservée aux animaux.
8. Il est interdit de placer un animal devant être transporté dans une cage, un conteneur, un compartiment, un réservoir ou une stalle avec un ou plusieurs autres animaux si cette mesure devait avoir pour effet de faire du mal à l'un des animaux. Lorsque le comportement d'animaux qui s'y trouvent est de nature à faire du mal aux autres, l'animal ou les animaux qui, de façon préventive, devraient être enlevés le sont sans délai.
9. Les personnes qui transportent des animaux les transportent à destination sans retard injustifié.
10. Les animaux en transit reçoivent, aux heures que dictent leur santé, leur bien-être et leur confort, de la nourriture saine ou de l'eau potable en quantité convenant à leur santé, leur bien-être et leur confort.
11. (1) Les véhicules servant au transport des animaux ont à leur bord une personne ayant les qualités requises pour soigner les animaux en transit, laquelle :
- a) prend ou fait prendre les mesures raisonnables qui s'imposent pour assurer la santé, le bien-être et le confort des animaux concernés;
 - b) examine régulièrement les animaux dans le véhicule afin de déceler toute maladie ou blessure grave;
 - c) si un animal semble gravement malade ou grièvement blessé, prend les mesures qui s'imposent pour qu'il reçoive des soins vétérinaires le plus tôt possible ou le met à mort, sans cruauté ni délai.
- (2) Lorsque les animaux arrivent à destination, la personne visée au paragraphe (1) veille à ce qu'ils soient placés :
- a) soit sous la garde d'une personne autorisée, par la personne à qui ils sont destinés, à les prendre sous sa garde;
 - b) soit à un endroit où leur santé, leur bien-être et leur confort ne sont pas compromis, et avise immédiatement la personne à qui ils sont destinés.

ONTARIO REGULATION 281/06

made under the

BEES ACT

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Amending Reg. 57 of R.R.O. 1990
(General)

Note: Regulation 57 has previously been amended. Those amendments are listed in the Table of Regulations - Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Regulation 57 of the Revised Regulations of Ontario, 1990 is amended by adding the following French version:

DISPOSITIONS GÉNÉRALES

INSCRIPTION

1. (1) À l'appui de sa demande de délivrance ou de renouvellement de certificat d'inscription, l'apiculteur fournit à l'apiculteur provincial un rapport qui comprend les renseignements suivants :

- a) ses nom et adresse;
- b) l'endroit où se trouve chacun de ses ruchers en Ontario;
- c) les nom, adresse et numéro de téléphone du propriétaire ou du locataire des biens-fonds où se trouvent les ruchers;
- d) l'adresse municipale ou la description légale des biens-fonds où se trouvent les ruchers, avec suffisamment de renseignements pour y repérer les ruchers;
- e) le nombre de ruches entretenues dans chaque rucher.

(2) L'apiculteur provincial tient un registre des apiculteurs de l'Ontario qui contient les renseignements exigés au paragraphe (1).

1.1 Les apiculteurs qui sont propriétaires ou qui sont en possession de matériel apicole mais non d'abeilles sont soustraits à l'obligation qu'impose l'article 21 de la Loi d'obtenir un certificat d'inscription.

MALADIES

2. Sont désignées comme maladies pour l'application de la Loi :

1. L'acariose intra-trachéenne, soit la maladie des abeilles causée par un acarien trachéal appelé *Acarapis woodi*.
2. La varroase, soit la maladie des abeilles causée par un acarien externe appelé *Varroa jacobsoni*.

DOSSIERS

3. (1) Les dossiers que tient l'apiculteur comprennent les documents et renseignements suivants :

- a) une copie de la demande de délivrance ou de renouvellement d'un certificat d'inscription de l'apiculteur pour l'année d'inscription;
- b) une copie du rapport fourni aux termes de l'article 1 à l'apiculteur provincial à l'appui de la demande;
- c) la période pendant laquelle chaque rucher occupe un endroit donné.

(2) Les dossiers que tiennent les personnes qui vendent des abeilles comprennent les documents et renseignements suivants :

- a) les nom et adresse des personnes à qui des abeilles sont vendues;
- b) la quantité d'abeilles vendues;
- c) la date d'expédition des abeilles;
- d) l'endroit d'où les abeilles sont expédiées;
- e) les nom et adresse des personnes à qui le vendeur a acheté des abeilles;

- f) la quantité d'abeilles achetées;
- g) la date de réception de chaque envoi d'abeilles achetées;
- h) une copie de tous les permis délivrés par l'apiculteur provincial pour les abeilles vendues ou reçues.

RAPPORTS DES APICULTEURS

4. (1) La personne qui vend des abeilles transmet à l'apiculteur provincial un rapport écrit indiquant les nom et adresse de l'acheteur, la quantité d'abeilles ou d'abeilles en caisse vendues et la date de chaque envoi.

(2) Le rapport est transmis dans les 30 jours qui suivent la date de vente des abeilles ou des abeilles en caisse.

RAPPORT DE L'INSPECTEUR

5. (1) Sous réserve du paragraphe (2), l'inspecteur soumet un rapport à l'apiculteur provincial dans les 10 jours qui suivent l'inspection d'un rucher.

(2) L'inspecteur qui constate que des colonies d'abeilles sont infectées par la loque américaine, l'acariose intra-trachéenne ou la varroase avise immédiatement par écrit l'apiculteur provincial de l'endroit où elles se trouvent et de leur nombre, ainsi que des nom et adresse du propriétaire.

PANNEAUX

6. L'apiculteur affiche bien en vue dans les ruchers dont il est propriétaire un panneau d'au moins 24 centimètres de hauteur et 50 centimètres de largeur qui indique ses nom et adresse en lettres et en chiffres suffisamment larges pour être facilement visibles.

26/06

ONTARIO REGULATION 282/06

made under the

FARM PRODUCTS MARKETING ACT

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Amending Reg. 401 of R.R.O. 1990

(Chicken — Extension of Powers of the Canadian Chicken Marketing Agency)

Note: Regulation 401 has not previously been amended.

1. Regulation 401 of the Revised Regulations of Ontario, 1990 is amended by adding the following French version:

POULET — EXTENSION DES POUVOIRS DE L'OFFICE CANADIEN DE COMMERCIALISATION DU POULET

1. La définition qui suit s'applique au présent règlement.

«poulet» S'entend du poulet et de morceaux de poulet produits en Ontario.

2. Le lieutenant-gouverneur en conseil accorde à l'Office canadien de commercialisation du poulet l'autorité pour réglementer la commercialisation du poulet en Ontario de la manière énoncée à l'article 3.

3. En vue de réglementer la commercialisation du poulet en Ontario, l'Office canadien de commercialisation du poulet peut exercer, à l'égard du poulet commercialisé, les pouvoirs qu'il peut exercer à l'égard du poulet commercialisé dans le commerce interprovincial ou celui de l'exportation en vertu de l'alinéa 22 (1) a) de la *Loi sur les offices de commercialisation des produits de ferme* (Canada).

26/06

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Amending Reg. 405 of R.R.O. 1990

(Designation — Ontario Coloured Bean Growers' Association)

Note: Regulation 405 has not previously been amended.

1. Regulation 405 of the Revised Regulations of Ontario, 1990 is amended by adding the following French version:

DÉSIGNATION — ONTARIO COLOURED BEAN GROWERS' ASSOCIATION

1. Les définitions qui suivent s'appliquent au présent règlement.

«association» L'association appelée «Ontario Coloured Bean Growers' Association». («association»)

«haricots colorés» Haricot adzuki, atoca, haricot rouge foncé, haricot brun hollandais, haricot Great Northern, haricot rognon de coq pâle, haricot Pinto, haricot Black Turtle, haricot blanc ou haricot à oeil jaune. («coloured beans»)

2. La Ontario Coloured Bean Growers' Association est désignée comme l'association représentant les producteurs de haricots colorés en Ontario pour la mise en oeuvre d'un programme visant à stimuler, à accroître et à améliorer la production et la commercialisation locales de haricots colorés en Ontario par la publicité, l'éducation, la recherche ou d'autres moyens.

3. Chaque producteur qui vend des haricots colorés paie des droits de permis de 5 \$ la tonne à l'association.

4. (1) Quiconque achète des haricots colorés à un producteur déduit, de l'argent payable à ce dernier, les droits de permis que le producteur doit verser à l'association à l'égard des haricots colorés.

(2) Au plus tard le quinzième jour de chaque mois, chaque personne verse à l'association les droits de permis qu'elle a déduits conformément au paragraphe (1) au cours du mois précédent.

5. L'association est autorisée à utiliser les droits de permis pour couvrir les dépenses qu'elle engage lors de la réalisation de ses objets.

6. L'association fournit à la Commission les renseignements et les états financiers que détermine cette dernière.

26/06

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Amending O. Reg. 786/91

(Eggs — Extension of Powers of the Canadian Egg Marketing Agency)

Note: Ontario Regulation 786/91 has not previously been amended.

1. Ontario Regulation 786/91 is amended by adding the following French version:

OEUFS — EXTENSION DES POUVOIRS DE L'OFFICE CANADIEN DE COMMERCIALISATION DES OEUFS

1. La définition qui suit s'applique au présent règlement.

«œufs» S'entend des oeufs de poules domestiques produits en Ontario, à l'exclusion des oeufs d'incubation.

2. Le lieutenant-gouverneur en conseil accorde à l'Office canadien de commercialisation des oeufs créé en vertu de la *Loi sur les offices de commercialisation des produits de ferme* (Canada) l'autorité pour réglementer la commercialisation des oeufs en Ontario et, à cette fin, pour exercer les pouvoirs qu'il peut exercer à l'égard des oeufs commercialisés dans le commerce interprovincial ou celui d'exportation en vertu des alinéas 22 (1) d), j), k) et m) de cette loi.

26/06

ONTARIO REGULATION 285/06

made under the

LIVESTOCK AND LIVESTOCK PRODUCTS ACT

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Amending Reg. 724 of R.R.O. 1990

(Eggs)

Note: Regulation 724 has previously been amended. Those amendments are listed in the Table of Regulations — Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Regulation 724 of the Revised Regulations of Ontario, 1990 is amended by adding the following French version:

OEUFS

DÉFINITIONS

1. Les définitions qui suivent s'appliquent au présent règlement.

«boîte» Contenant pouvant contenir 15 douzaines d'œufs dans des compartiments distincts conçus pour empêcher que les oeufs ne s'endommagent en cours de manutention. («box»)

«caisse» Contenant pouvant contenir 30 douzaines d'œufs dans des compartiments conçus pour empêcher que les oeufs ne s'endommagent en cours de manutention. («case»)

«carton» Contenant pouvant contenir six, 12, 18, 24 ou 30 oeufs dans des compartiments individuels. S'entend en outre d'un carton divisible. («carton»)

«consommateur» Quiconque achète des oeufs pour son usage personnel et celui de sa famille et non pour la revente. («consumer»)

«contenant» Caisse, boîte, carton ou autre récipient dans lequel les oeufs sont emballés. («container»)

«détaillant» Quiconque met en vente, a en sa possession aux fins de vente ou vend des oeufs à un consommateur. («retailer»)

«exploitant» Quiconque exploite un poste de classement des oeufs. S'entend en outre du propriétaire. («operator»)

«grossiste» Quiconque vend des oeufs à l'une des personnes suivantes :

a) un détaillant;

b) quiconque en achète 15 douzaines ou plus pour les utiliser comme aliment ou dans un produit alimentaire;

c) un transformateur. («wholesaler»)

«livraison» Transfert d'un lieu à un autre à toutes fins. («delivery»)

«mirage» Examen de l'intérieur d'un oeuf consistant à faire tourner ce dernier en avant ou au-dessus d'une source lumineuse qui en illumine le contenu. («candling»)

«oeuf» Oeuf de poule domestique dans sa coquille. («egg»)

«oeuf liquide» Oeuf entier, jaune d'oeuf ou blanc d'oeuf à l'état liquide, sans la coquille. («liquid egg»)

«oeufs frigorifiés» Oeufs conservés dans une chambre d'entreposage frigorifique à des températures allant de 2 à -2 °C. («cold stored eggs»)

«poste agréé d'oeufs transformés» Poste d'oeufs transformés agréé aux termes de l'article 6 du *Règlement sur les oeufs transformés* pris en application de la *Loi sur les produits agricoles au Canada*. («registered processed egg station»)

«poste de classement des oeufs» Lieu servant au classement, à l'emballage et au marquage des oeufs aux termes du présent règlement. («egg-grading station»)

«poule domestique» La femelle de l'espèce *Gallus domesticus*. («domestic hen»)

«producteur» Quiconque vend, expédie ou transporte des oeufs produits uniquement dans son exploitation agricole. («producer»)

«saleté» Substance étrangère adhérent à la coquille d'un oeuf. («dirt»)

CHAMP D'APPLICATION

2. Les oeufs sont désignés comme produit du bétail.

3. Le présent règlement ne s'applique pas aux oeufs utilisés aux fins d'incubation.

4. Les marchands d'oeufs, à l'exclusion des exploitants de postes de classement des oeufs et des acheteurs ou des vendeurs d'oeufs rejetés, ne sont pas assujettis à l'article 2 de la Loi.

OEUFs DESTINÉS À LA CONSOMMATION HUMAINE

5. (1) Nul ne doit vendre ou mettre en vente en Ontario des oeufs destinés à la consommation humaine qui ne soient classés, emballés et marqués conformément au présent règlement.

(2) Malgré le paragraphe (1), un producteur peut vendre, mettre en vente ou avoir en sa possession aux fins de vente des oeufs qui ne sont pas classés, emballés et marqués comme l'exige le présent article, à condition que les oeufs soient produits dans son exploitation agricole, qu'ils soient propres, qu'ils ne coulent pas et qu'ils ne soient vendus aux consommateurs ou mis en vente à leur intention pour leur propre consommation qu'à partir de l'exploitation agricole.

(3) Les oeufs qui sont emballés dans une boîte, une caisse ou un carton et qui sont marqués d'une catégorie sont réputés être classés.

(4) Les oeufs qui sont entreposés dans les locaux d'un détaillant, que ce soit ou non à la vue du public, sont réputés être à vendre.

(5) Seul un producteur peut vendre, mettre en vente, expédier ou transporter des oeufs non classés d'un endroit à un autre à moins que ceux-ci ne soient destinés, selon le cas :

a) à un poste de classement des oeufs;

b) au premier destinataire des oeufs afin de faire identifier les oeufs de chaque producteur et de les expédier ou de les transporter à un poste de classement des oeufs.

(6) Nul ne doit expédier ou transporter des oeufs en Ontario à moins de fournir une feuille de route qui accompagne l'expédition et où figurent :

a) les nom et adresse de l'expéditeur;

b) la date d'expédition;

c) les nom et adresse du destinataire;

d) la quantité d'oeufs et, le cas échéant, leur catégorie.

(7) Nul ne doit vendre ou mettre en vente des oeufs de catégorie Canada C si ce n'est à l'exploitant d'un poste agréé d'oeufs transformés ou à une autre personne pour vente à cet exploitant.

CATÉGORIES, DÉNOMINATIONS ET NORMES

6. Les dénominations de catégorie suivantes pour les oeufs ainsi que les catégories, les normes et les tolérances à leur égard, établies aux termes de la *Loi sur les produits agricoles au Canada*, sont adoptées en entier :

1. Canada A1.
2. Canada A.
3. Canada B.
4. Canada C.
5. Canada Oeufs tout-venant.

OEUFS REJETÉS

7. Sont rejetés et appelés oeufs rejetés les oeufs qui ne sont pas conformes aux normes prescrites dans le présent règlement à l'égard des oeufs de catégorie Canada A1, Canada A, Canada B, Canada C ou Canada Oeufs tout-venant.

8. (1) Nul ne doit acheter, vendre, mettre en vente, expédier ou transporter des oeufs rejetés aux fins d'utilisation comme aliment ou dans la préparation d'un aliment destiné à la consommation humaine.

(2) Malgré le paragraphe (1), les oeufs retirés d'une poule qui a été abattue conformément à la *Loi sur l'inspection des viandes* (Canada) ou au Règlement de l'Ontario 31/05 («Meat») pris en application de la *Loi de 2001 sur la qualité et la salubrité des aliments* peuvent être expédiés à un poste agréé d'oeufs transformés et y sont transformés.

PERMIS

PERMIS D'EXPLOITATION D'UN POSTE DE CLASSEMENT DES OEUFS

9. (1) La demande de permis d'exploitation d'un poste de classement des oeufs est rédigée selon la formule fournie par le commissaire.

(2)

(3) Les droits à acquitter pour le permis d'exploitation d'un poste de classement des oeufs sont de 1 \$ et doivent être transmis au commissaire avec la demande de permis.

(4) Le permis d'exploitation d'un poste de classement des oeufs est incessible et est valide à moins que le commissaire ne le suspende ou ne le révoque ou que son titulaire ne cesse d'exploiter le poste de classement des oeufs.

PERMIS À L'ÉGARD DES OEUFS REJETÉS

10. (1) La demande de permis de vente d'oeufs rejetés est rédigée selon la formule fournie par le commissaire.

(2)

(3) Le permis de vente d'oeufs rejetés :

- a) est délivré sans frais;
- b) est incessible;
- c) est valide à moins que le commissaire ne le suspende ou ne l'annule.

(4) Le permis de vente d'oeufs rejetés n'est délivré que si son titulaire s'engage à respecter les conditions suivantes :

- a) tenir et conserver pendant au moins 90 jours un registre faisant état de ses ventes d'oeufs rejetés et où figurent :
 - (i) les nom et adresse de l'acheteur de chaque lot d'oeufs rejetés qui a été vendu,
 - (ii) la quantité d'oeufs comprise dans chaque lot,
 - (iii) la date de la vente;
- b) marquer aux deux extrémités de tous les contenants dans lesquels il expédie ou transporte des oeufs rejetés la mention «REJECTS» en lettres d'au moins ¼ de pouce de haut.

11. (1) La demande de permis d'achat d'oeufs rejetés est rédigée selon la formule fournie par le commissaire.

(2)

(3) Le permis d'achat d'oeufs rejetés :

- a) est délivré sans frais;
- b) est incessible;
- c) est valide à moins que le commissaire ne le suspende ou ne l'annule.

(4) Le permis d'achat d'oeufs rejetés n'est délivré que si son titulaire s'engage à tenir et à conserver pendant au moins 90 jours un registre faisant état de tous les oeufs rejetés qu'il a obtenus et où figurent :

- a) les quantités d'oeufs rejetés obtenus, notamment par achat, pendant chaque mois civil;
- b) les nom et adresse de la personne de qui les oeufs rejetés ont été obtenus, ainsi que la date d'obtention;
- c) la raison pour laquelle les oeufs rejetés ont été obtenus.

12. Seul un producteur peut exploiter des locaux où des oeufs destinés à la consommation humaine en Ontario sont classés, emballés et marqués, à moins qu'il ne s'agisse de locaux construits, tenus et exploités conformément aux conditions suivantes :

1. Les bâtiments qui constituent le poste sont de construction solide, propres, conformes aux normes d'hygiène et en bon état.
2. Des pièces distinctes de dimensions suffisantes sont prévues pour :
 - i. le classement, l'emballage et le marquage des oeufs,
 - ii. la conservation des oeufs après leur classement,
 - iii. le cas échéant, la préparation de produits d'oeufs aux fins de transformation ultérieure.
3. Les matériaux utilisés pour les planchers, les murs, les plafonds, les cloisons, les poteaux, les portes et les autres composantes des pièces du poste ainsi que leur construction et leur revêtement se prêtent bien au nettoyage.
4. Le poste est pourvu de vestiaires et de cabinets de toilette :
 - i. suffisamment équipés,
 - ii. bien éclairés et ventilés,
 - iii. séparés des pièces servant au classement, à l'emballage ou à la manutention d'oeufs en coquille.
5. Le poste est aménagé de manière à empêcher les mouches, les fourmis, les rongeurs et autres ravageurs d'y pénétrer.
6. Les dimensions et la disposition des pièces et du matériel du poste permettent une bonne manutention du volume de produits.
7. Aucun passage ne communique d'une pièce du poste à une autre pièce ou à un autre local servant à la fabrication, à l'entreposage ou à la conservation d'une denrée susceptible de dégager des odeurs pouvant altérer la saveur ou le goût des oeufs.
8. L'aire de classement des oeufs est assez sombre pour permettre un mirage efficace.
9. Le poste est pourvu d'appareils de réfrigération qui :
 - i. conviennent au refroidissement et à la conservation des oeufs et dont la capacité est adaptée à ces fins,
 - ii. sont à la disposition de l'exploitant du poste de classement des oeufs à ces fins.
10. La pièce servant au classement est pourvue d'un thermomètre précis.
11. La pièce servant à la conservation est pourvue d'un thermomètre et d'un hygromètre précis.
12. La pièce servant au classement est pourvue des appareils nécessaires au mirage et au pesage précis des oeufs en coquille.
13. Les postes de classement des oeufs sont exploités conformément aux règles suivantes :
 1. Le matériel et toutes les composantes du poste sont en bon état, propres et conformes aux normes d'hygiène.
 2. Toutes les mesures raisonnables sont prises pour ne pas laisser entrer des mouches, des fourmis, des rongeurs et autres ravageurs dans le poste.
 3. Nulle denrée ou nul produit susceptible de dégager des odeurs pouvant altérer la saveur ou le goût des oeufs n'est entreposé ou conservé dans les locaux du poste.
 4. La pièce servant au classement est pourvue des appareils nécessaires au mirage et au pesage des oeufs et le poste est muni d'étalons de poids permettant de vérifier les bascules ou les balances.
 5. Aucune modification, si ce n'est une réparation, n'est apportée au poste ou à un appareil important qui s'y trouve à moins que les matériaux et les renseignements qui seraient exigés, si l'exploitant présentait une demande de permis à l'égard du poste, n'aient été soumis au commissaire et approuvés par lui.
 6. L'exploitant confie à un employé du poste la responsabilité de veiller au respect strict des normes d'hygiène imposées par le présent règlement.

7. Aucun numéro qui se présente comme un numéro de permis assigné au poste aux termes du présent règlement n'est utilisé si ce n'est celui qui a été assigné au poste en vertu de l'article 9.
8. La température de la pièce où les oeufs sont conservés pendant le classement ne dépasse pas 19 °C, et la température de la pièce où les oeufs sont conservés avant et après le classement ne dépasse pas 13 °C.
9. Les vêtements de chaque employé qui travaille à la transformation, à l'emballage ou à la manutention des oeufs sont propres et conformes aux normes d'hygiène.
10. Chaque employé du poste qui travaille à la manutention, au classement ou à l'emballage des oeufs se lave les mains et les rince à fond dans une solution désinfectante non irritante tous les jours avant de commencer son travail, chaque fois qu'il reprend son travail pendant la journée après s'être absenté temporairement et tout de suite après avoir manutentionné des oeufs non comestibles ou des produits d'oeufs non comestibles.
11. L'humidité relative de la pièce où les oeufs sont conservés après le classement est maintenue entre 70 et 85 pour cent.
14. Le classement des oeufs est fait ou supervisé par des préposés au classement qu'un inspecteur estime aptes à classer des oeufs conformément au présent règlement.
15. (1) L'exploitant de locaux qui ont été inspectés et qui ont été jugés conformes aux articles 12 et 13 peut présenter au commissaire une demande de permis l'autorisant à exploiter les locaux à titre de poste de classement des oeufs.
(2) Seul le titulaire de permis peut utiliser le numéro du permis sur une boîte, une caisse ou un carton.
(3) L'exploitant d'un poste de classement des oeufs appose son numéro de permis sur chaque boîte et chaque caisse d'oeufs classés et emballés à son poste de classement des oeufs.
(4) L'exploitant d'un poste de classement des oeufs qui emballe des oeufs dans des cartons sur lesquels le nom ou la marque de commerce d'un détaillant ainsi que l'adresse de ce dernier ne sont pas marqués appose son numéro de permis sur chaque carton.
(5) Seul l'exploitant d'un poste de classement des oeufs peut acheter des oeufs non classés au premier destinataire des oeufs ou les recevoir de lui.
16. Tous les oeufs classés conformément au présent règlement par un producteur sont classés, emballés et marqués uniquement dans des locaux propres et conformes aux normes d'hygiène qui sont pourvus d'installations de refroidissement adéquates.
17. Tous les oeufs reçus à un poste de classement des oeufs sont classés, emballés et marqués conformément au présent règlement à moins qu'ils ne doivent être expédiés ou acheminés à un autre poste de classement des oeufs ou poste de produits d'oeufs.

EMBALLAGE

18. Les cartons, les caisses et les boîtes dans lesquels des oeufs sont emballés ou les contenants dans lesquels des cartons sont emballés sont propres et solides.
19. Les cartons servant à l'emballage des oeufs sont neufs.
20. Les contenants servant à l'emballage des oeufs en coquille sont :
 - a) de dimensions propres à assurer un emballage ferme et compact compte tenu de la quantité d'oeufs emballés;
 - b) assez solides et durables pour protéger les oeufs contre les risques auxquels il peut être raisonnable de s'attendre pendant la manutention et la distribution;
 - c) fabriqués d'une matière qui ne nuira pas aux oeufs qui y sont emballés;
 - d) fermés d'une façon généralement reconnue pour le genre de contenant concerné.
21. La définition qui suit s'applique à l'article 17.

«propre» Signifie exempt de poussières, de saletés, de résidus d'oeufs ou de coquilles ainsi que de toutes marques, étiquettes ou portions de celles-ci et de toutes agrafes utilisées lors d'une expédition antérieure.

MARQUES

CARTONS

22. (1) Chaque carton d'oeufs classés et emballés à un poste de classement des oeufs ou par un producteur est marqué de la manière prescrite dans le présent règlement de façon à indiquer :
 - a) la dénomination de catégorie et le calibre assignés aux oeufs conformément au présent règlement;

- b) la mention «eggs»;
- c) le nombre d'oeufs;
- d) les nom et adresse, selon le cas :
 - (i) du producteur qui a classé et emballé les oeufs,
 - (ii) du poste de classement des oeufs où les oeufs ont été classés ou emballés ainsi que le numéro de permis de celui-ci,
 - (iii) du bureau central de l'exploitant du poste de classement des oeufs où les oeufs ont été classés ou emballés,
 - (iv) du grossiste ou du détaillant, si les oeufs ont été classés et emballés pour le compte de l'un ou l'autre.

(2) Les cartons d'oeufs emballés par un détaillant et portant une dénomination de catégorie établie par le présent règlement sont marqués de la manière prescrite dans celui-ci de façon à indiquer la dénomination de catégorie et le calibre des oeufs ainsi que les nom et adresse du détaillant.

(3) Les cartons d'oeufs destinés à l'exportation ne sont pas assujettis aux exigences du paragraphe (2).

23. (1) Les marques figurant sur les cartons d'oeufs sont claires, lisibles et apposées comme suit :

- 1. Sur un carton non divisible, la dénomination de catégorie, le calibre et la mention «eggs» sont placées sur le dessus du carton.
- 2. Sur un carton divisible :
 - a) la mention «eggs» est placée sur le dessus du carton;
 - b) la dénomination de catégorie et le calibre sont placés sur le dessus d'une section du carton et soit sur le côté, soit sur le dessus des autres sections.
- 3. Les autres marques exigées peuvent figurer sur le dessus ou le côté du carton.

(2) Les dénominations de catégorie et les calibres établis dans le présent règlement sont utilisés sur les cartons de la manière prescrite à l'annexe 1.

(3) Malgré le paragraphe (2), le dessin de la feuille d'érable ne doit pas être utilisé pour indiquer la dénomination des oeufs de catégorie Canada C, Canada Oeufs tout-venant et des oeufs rejetés.

CAISSES, BOÎTES ET CONTENANTS

24. (1) Chaque contenant extérieur d'oeufs classés qui sont classés ou emballés à un poste de classement des oeufs est marqué de la manière prescrite dans le présent règlement de façon à indiquer la dénomination de catégorie et le calibre des oeufs ainsi que le numéro de permis du poste de classement des oeufs.

(2) Chaque contenant extérieur d'oeufs classés qui sont classés ou emballés par un producteur est marqué de la manière prescrite dans le présent règlement de façon à indiquer la dénomination de catégorie et le calibre des oeufs ainsi que les nom et adresse du producteur.

25. (1) La dénomination de catégorie et le calibre des oeufs emballés dans un contenant extérieur sont apposés selon les exigences prescrites à l'annexe 1.

(2) Le numéro de permis du poste de classement des oeufs ou les nom et adresse du producteur qui a classé et emballé les oeufs sont apposés sous la dénomination de catégorie et le calibre.

26. Les marques exigées par l'article 25 sont, selon le cas :

- a) imprimées, estampillées ou peintes au pochoir au centre d'au moins une extrémité ou d'un côté du contenant;
- b) imprimées sur une étiquette apposée solidement sur une extrémité ou un côté du contenant.

27.

28. Malgré l'article 24, lorsque des cartons d'oeufs sont emballés dans un contenant et que les marques apposées sur les cartons sont faciles à voir et bien lisibles, il n'est pas nécessaire de marquer le contenant.

29. Les renseignements que le présent règlement oblige à marquer sur un contenant sont marqués avec une couleur qui ressort bien de la couleur de fond sur laquelle figurent les renseignements.

PUBLICITÉ

30. (1) Nul ne doit annoncer des oeufs à vendre à moins que ne soit apposée bien en vue sur l'annonce une déclaration énonçant la catégorie des oeufs annoncés.

(2) Dans une annonce d'oeufs à vendre, nul ne doit, à l'égard de la qualité ou du calibre des oeufs :

- a) soit faire une déclaration ou une insinuation erronée, mensongère ou trompeuse;
- b) soit utiliser des mots ou des expressions susceptibles de tromper l'acheteur.

(3) Nul ne doit, dans une annonce d'oeufs à vendre, déclarer ou utiliser des mots ou des expressions qui donnent à penser que, selon le cas :

- a) les oeufs de la catégorie annoncée sont, sur le plan de l'état ou de la qualité, supérieurs aux oeufs de cette catégorie prévue par le présent règlement;
- b) des oeufs de catégorie Canada B ou des oeufs qui ont été entreposés dans une chambre frigorifique sont frais;
- c) des oeufs sont frais pondus.

OEUFS NON CLASSÉS

31. Nul ne doit expédier ou transporter des oeufs non classés à moins que ne soit marquée sur au moins une extrémité des contenants la mention «UNGRADED EGGS — FOR SHIPMENT ONLY» en lettres moulées d'au moins $\frac{3}{4}$ de pouce de haut.

32. (1) Les oeufs qui ont été entreposés peuvent être expédiés ou transportés à un poste de classement des oeufs sans qu'ils soient classés ou inspectés.

(2) Nul ne doit expédier ou transporter des oeufs qui ont été entreposés à moins que ne soit apposée sur chaque contenant la mention «ungraded out of storage» en lettres d'au moins $\frac{1}{4}$ de pouce de haut estampillées ou peintes au pochoir :

- a) soit sur la marque de catégorie, le cas échéant;
- b) soit sur les extrémités du contenant, si aucune marque de catégorie n'y figure.

REGISTRES

33. (1) L'exploitant tient des registres complets et en assume la responsabilité. Y figurent :

- a) le nombre d'oeufs dans le lot de chaque producteur qui est livré à son poste de classement des oeufs;
- b) la catégorie de tous les oeufs dans le lot de chaque producteur.

(2) L'exploitant conserve une copie de chaque rapport de compte sur banc au poste de classement des oeufs pendant 90 jours.

IDENTIFICATION DES OEUFS DES PRODUCTEURS

34. Chaque premier destinataire des oeufs qui expédie ou livre des oeufs non classés à un poste de classement des oeufs identifie clairement les oeufs de chaque producteur de l'une des façons suivantes :

- a) en les emballant dans des contenants distincts;
- b) en plaçant les oeufs de chaque producteur à une extrémité distincte d'une caisse ou dans des casiers distincts;
- c) en les emballant et en les identifiant d'une autre manière convenable.

RELEVÉS DE CLASSEMENT

35. (1) L'exploitant d'un poste de classement des oeufs remet à la personne qui a expédié les oeufs non classés au poste de classement des oeufs, au plus tard sept jours après la date de réception des œufs :

- a) si l'expéditeur est le producteur, une copie du relevé de classement;
- b) si l'expéditeur est le premier destinataire des oeufs, deux copies du relevé de classement.

(2) Lorsque les oeufs non classés dans une expédition visée à l'alinéa (1) b) ont été produits par plus d'un producteur et que les oeufs de chacun d'eux ont été identifiés, l'exploitant remet au premier destinataire des oeufs deux copies du relevé de classement à l'égard de chaque producteur.

(3) Chaque premier destinataire des oeufs conserve pendant 90 jours une copie de chaque relevé de classement reçu d'un poste de classement des oeufs.

(4) L'expéditeur qui était un premier destinataire des oeufs envoie à chaque producteur une copie du relevé de classement à l'égard de son lot.

(5) Chaque exploitant conserve pendant 90 jours à son poste de classement des oeufs une copie de chaque relevé de classement.

(6) Le relevé de classement est rédigé selon la formule fournie par le commissaire.

36. Le premier destinataire des oeufs, au plus tard 14 jours après la date de réception des oeufs, remet au producteur :

- a) le relevé de classement des oeufs;
- b) un relevé où figurent :
 - (i) les nom et adresse du premier destinataire des oeufs,
 - (ii) la date du relevé,
 - (iii) les nom et adresse du producteur,
 - (iv) le nombre de douzaines d'oeufs reçues,
 - (v) la date de réception des oeufs,
 - (vi) le montant, et le taux à la douzaine, payé à titre de paiement anticipé,
 - (vii) le mode de règlement du paiement anticipé, que ce soit en argent, en marchandises ou à crédit,
 - (viii) le nombre d'oeufs classés dans chaque catégorie,
 - (ix) le prix demandé pour chaque catégorie.

PAIEMENT DES OEUFS

37. (1) Les oeufs non classés achetés ou reçus en consignation par l'exploitant d'un poste de classement des oeufs sont réputés avoir été achetés en fonction des catégories figurant sur le relevé de classement.

(2) Nul exploitant ne doit payer des oeufs non classés qu'il a achetés ou reçus en consignation en fonction de catégories autres que celles figurant sur le relevé de classement.

(3) Lorsqu'il n'existe aucune différence de prix entre les prix payés pour des oeufs de plus d'une catégorie, les oeufs sont réputés ne pas avoir été achetés en fonction des catégories.

38. Seul l'exploitant d'un poste de classement des oeufs peut acheter ou recevoir des oeufs non classés du premier destinataire des oeufs.

39. (1) Lorsque le premier destinataire des oeufs ou l'exploitant d'un poste de classement des oeufs donne un acompte au producteur au moment de recevoir les oeufs, le montant payé ne doit pas dépasser 80 pour cent de la valeur totale des oeufs calculée d'après le prix des oeufs de catégorie Canada B.

(2) Dans les 14 jours qui suivent la date de réception des oeufs, le premier destinataire des oeufs ou l'exploitant, selon le cas :

- a) lorsqu'un acompte n'a pas été donné, paie les oeufs;
- b) lorsqu'un acompte a été donné, effectue le règlement final pour les oeufs.

(3) Le paiement ou le règlement final, selon le cas, est joint au relevé de classement et au relevé qui sont remis au producteur en vertu de l'article 36.

DÉTENTION

40. L'inspecteur qui ordonne la détention d'oeufs non conformes à la Loi et au présent règlement appose une étiquette de détention numérotée sur une boîte, une caisse ou un carton de chaque lot d'oeufs détenus, et nul ne doit vendre, mettre en vente, déplacer, faire déplacer ou permettre que ne soient déplacés les oeufs ou les boîtes, les caisses ou les cartons d'oeufs compris dans le lot, ni enlever l'étiquette de détention, sans l'autorisation écrite d'un inspecteur ou du commissaire.

41. Immédiatement après avoir détenu des oeufs, l'inspecteur remet ou envoie par la poste :

- a) un avis de détention au propriétaire ou à son mandataire;
- b) une copie de l'avis de détention à la personne en possession des oeufs, quand les oeufs se trouvent dans des locaux autres que ceux du propriétaire.

42. L'inspecteur qui est convaincu que des oeufs détenus sont conformes à la Loi et au présent règlement peut accorder mainlevée pour les oeufs détenus :

- a) en enlevant l'étiquette de détention;
- b) en délivrant un avis de mainlevée de la détention et en le remettant ou en l'envoyant par la poste au propriétaire ou à son mandataire, avec copie à la personne en possession des locaux si elle n'en est pas le propriétaire.

ANNEXE I MARQUES SUR LES CARTONS ET LES CONTENANTS D'OEUFS

1. Lorsqu'une dénomination de catégorie prescrite par le présent règlement est apposée sur un carton d'oeufs, elle doit figurer à l'intérieur du dessin d'une feuille d'érable, comme suit :



2. Le calibre figure tout près de la feuille d'érable.

3. Le dessin, les proportions et la position de la feuille d'érable, la lettre indiquant la catégorie et le mot «Canada» sont apposés les uns par rapport aux autres comme l'indique l'article 1 de la présente annexe. Cependant, sous réserve des articles 5 et 6 de cette annexe, les dimensions de la feuille d'érable et de la dénomination de catégorie peuvent être différentes des dimensions indiquées.

4. Lorsque la feuille d'érable est en couleur, le mot «Canada» et la «lettre de catégorie» sont d'une couleur contrastante qui les fait ressortir sur la feuille d'érable.

5. Sauf autorisation du commissaire à l'effet contraire, la hauteur des lettres du mot «Canada» ne doit pas être inférieure à $\frac{1}{8}$ de pouce et celle des lettres indiquant la catégorie et le calibre ne doit pas être inférieure à $\frac{1}{4}$ de pouce.

6. Toutes les autres marques exigées, à l'exclusion du mot «eggs», sont en lettres d'au moins $\frac{1}{8}$ de pouce de haut, mais celles-ci ne doivent pas être plus hautes que les lettres indiquant la dénomination de catégorie.

7. La dénomination de catégorie et le calibre sont apposés sur un contenant autre qu'un carton de la même manière que ce qui est prescrit pour un carton, sauf que :

- a) dans le cas du mot «Canada», la hauteur des lettres ne doit pas être inférieure à $\frac{1}{4}$ de pouce;
- b) dans le cas de la dénomination de catégorie et du calibre, la hauteur des lettres ne doit pas être inférieure à $\frac{1}{2}$ pouce.

8. Toutes les autres marques exigées sont en lettres d'au moins $\frac{1}{4}$ de pouce de haut, sauf qu'elles ne doivent pas être plus grosses que les lettres indiquant la dénomination de catégorie.

FORMULES 1 à 10

26/06

ONTARIO REGULATION 286/06

made under the

LIVESTOCK AND LIVESTOCK PRODUCTS ACT

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Amending Reg. 726 of R.R.O. 1990

(Processed Egg)

Note: Regulation 726 has not previously been amended.

1. Regulation 726 of the Revised Regulations of Ontario, 1990 is amended by adding the following French version:

OEUFS TRANSFORMÉS

1. Les définitions qui suivent s'appliquent au présent règlement.

«colorant alimentaire» Bêta-carotène. («food colour»)

«consommateur» Personne qui achète des oeufs transformés pour son usage personnel et celui de sa famille et non pour la revente. («consumer»)

«contenant» Tout récipient conçu ou utilisé pour y mettre des oeufs transformés. («container»)

«désinfectant» Substance qui détruit les bactéries sur les oeufs et qui possède une teneur en chlore actif de 100 à 200 parties par million ou son équivalent. («sanitizing agent»)

«détaillant» Personne qui met en vente, qui a en sa possession aux fins de vente ou qui vend des oeufs transformés à un consommateur. («retailer»)

«grossiste» Personne qui vend des oeufs transformés à un détaillant ou à toute autre personne aux fins d'utilisation comme aliment ou dans la préparation d'un aliment destiné à la consommation humaine. («wholesaler»)

«ingrédients supplémentaires» Du sel ou du sucre, ou les deux. («added ingredients»)

«mélange» Mélange d'oeufs entiers et mélange de jaunes d'oeufs. («mix»)

«mélange de jaunes d'oeufs» Jaunes d'oeufs congelés ou liquides additionnés d'un ou de plusieurs ingrédients supplémentaires ne dépassant pas 12 pour cent du produit en poids. («yolk mix»)

«mélange d'oeufs entiers» Oeufs entiers congelés ou liquides additionnés d'un ou de plusieurs ingrédients supplémentaires ne dépassant pas 12 pour cent du produit en poids. («whole egg mix»)

«mirage» Examen de l'intérieur d'un oeuf consistant à faire tourner ce dernier en avant ou au-dessus d'une source lumineuse qui en illumine le contenu. («candling»)

«nom usuel» S'entend, selon le cas :

a) de l'albumen congelé, de l'oeuf entier congelé, du jaune d'oeuf congelé, d'un mélange congelé d'oeufs entiers ou d'un mélange congelé de jaunes d'oeufs;

b) de l'albumen liquide, de l'oeuf entier liquide, du jaune d'oeuf liquide, d'un mélange liquide d'oeufs entiers ou d'un mélange liquide de jaunes d'oeufs. («common name»)

«numéro de code» Combinaison de lettres, de symboles et de chiffres qui identifient un inspecteur. («code mark»)

«oeuf» S'entend, selon le cas, de l'oeuf :

a) de la poule domestique appartenant à l'espèce *Gallus domesticus*;

b) de la dinde domestique appartenant à l'espèce *Meleagris gallopavo*.

Ne s'entend toutefois pas de l'oeuf partiellement formé provenant d'une poule ou d'une dinde domestique abattue. («egg»)

«oeuf congelé» Oeuf entier, jaune d'oeuf ou albumen à l'état congelé. («frozen egg»)

«oeuf liquide» Oeuf entier, mélange d'oeufs entiers, jaune d'oeuf, mélange de jaunes d'oeufs ou albumen à l'état liquide ou semi-liquide. («liquid egg»)

«oeuf non comestible» Oeuf impropre à la consommation humaine. S'entend notamment d'un oeuf qui, selon le cas :

a) dégage une odeur étrangère à celle d'un oeuf normal;

b) sent le moisi;

c) a séjourné dans un incubateur;

d) présente un défaut interne autre qu'une tache de chair ou une tache de sang ne dépassant pas 1/8 de pouce de diamètre. («inedible egg»)

«oeuf qui coule» Oeuf d'où s'écoule le contenu. («leaker»)

«oeuf transformé» S'entend notamment d'un oeuf congelé, d'un mélange congelé d'oeufs, d'un oeuf liquide et d'un mélange liquide d'oeufs, mais non d'un oeuf transformé non comestible. («processed egg»)

«oeuf transformé non comestible» Oeuf transformé contenant des oeufs non comestibles ou impropre à la consommation humaine pour une autre raison. («inedible processed egg»)

«poste d'oeufs» Locaux où les oeufs sont classés, emballés et marqués. («egg station»)

«poste d'oeufs transformés» Locaux où les oeufs transformés sont produits, classés, emballés ou marqués. («processed egg station»)

«poste enregistré d'oeufs transformés» Poste d'oeufs transformés pour lequel un permis a été délivré aux termes du présent règlement. («registered processed egg station»)

«solide d'oeuf» Jaune ou albumen d'oeuf, ou une combinaison des deux, qui ne contient ni coquille ni eau. («egg solid»)

«tache de chair» Petite particule d'oviducte sur le jaune ou dans l'albumen de l'oeuf. («meat spot»)

«tache de sang» Petite particule de sang sur le jaune ou dans l'albumen de l'oeuf. («blood spot»)

«transformation» S'entend notamment du cassage des oeufs et du filtrage, du mélange, de la pasteurisation, de la stabilisation, de l'émulsion, du refroidissement et de la congélation des oeufs transformés. («process»)

2. Les oeufs transformés sont désignés comme étant un produit du bétail.

3. Les marchands d'oeufs transformés, à l'exclusion des exploitants de postes d'oeufs transformés et des acheteurs ou des vendeurs d'oeufs transformés non comestibles, ne sont pas assujettis à l'article 2 de la Loi.

4. (1) Nul ne doit vendre, mettre en vente, acheter, recevoir, entreposer, expédier ou transporter en Ontario des oeufs transformés destinés à la consommation humaine qui ne soient classés, emballés et marqués conformément au présent règlement.

(2) Les oeufs transformés qui sont entreposés dans les locaux d'un détaillant ou d'un grossiste, que ce soit ou non à la vue du public, sont réputés être à vendre.

5. (1) La demande de permis d'exploitation d'un poste d'oeufs transformés est rédigée selon la formule 1.

(2) Le permis d'exploitation d'un poste d'oeufs transformés est rédigé selon la formule 2.

(3) Le permis rédigé selon la formule 2 ne peut être délivré que si les locaux sont construits conformément aux exigences du présent règlement et qu'une inspection le confirme.

(4) Les droits à acquitter pour le permis rédigé selon la formule 2 sont de 1 \$ et doivent accompagner la demande de permis.

(5) Le permis rédigé selon la formule 2 est incessible et est valide sauf si, selon le cas :

a) le commissaire le suspend ou le révoque;

b) aucun oeuf transformé n'est classé, emballé ou marqué au poste pendant 12 mois consécutifs.

6. (1) La demande de permis de vente d'oeufs transformés non comestibles est rédigée selon la formule 3.

(2) Le permis de vente d'oeufs transformés non comestibles est rédigé selon la formule 4.

(3) Le permis rédigé selon la formule 4 est délivré sans frais, est incessible et est valide à moins que le commissaire ne le suspende ou ne le révoque.

(4) Le permis de vente d'oeufs transformés non comestibles n'est délivré que si son titulaire respecte les conditions suivantes :

a) tenir et conserver pendant au moins 90 jours un registre faisant état de ses ventes d'oeufs transformés non comestibles et où figurent :

(i) les nom et adresse de l'acheteur de chaque lot d'oeufs transformés non comestibles qui a été vendu,

(ii) la quantité d'oeufs transformés non comestibles, en poids, comprise dans chaque lot,

(iii) la date de la vente;

b) marquer tous les contenants dans lesquels il expédie ou transporte des oeufs transformés non comestibles en imprimant, en estampillant ou en peignant au pochoir sur le dessus et un côté des contenants les mentions «Not For Human Consumption» en lettres d'au moins un pouce et demi de haut, ainsi que le numéro de permis du poste enregistré d'oeufs transformés en lettres d'au moins $\frac{3}{8}$ de pouce de haut.

7. (1) La demande de permis d'achat d'oeufs transformés non comestibles est rédigée selon la formule 5.

(2) Le permis d'achat d'oeufs transformés non comestibles est rédigé selon la formule 6.

(3) Le permis rédigé selon la formule 6 est délivré sans frais, est incessible et est valide à moins que le commissaire ne le suspende ou ne le révoque.

(4) Le permis rédigé selon la formule 6 n'est délivré que si son titulaire remet au commissaire, au plus tard le 15 du mois suivant, un relevé où figurent les renseignements suivants :

a) les quantités d'oeufs transformés non comestibles qui ont été obtenus, notamment par achat, pendant chaque mois civil;

b) les nom et adresse de la personne de qui les oeufs transformés non comestibles ont été ainsi obtenus, ainsi que la date d'obtention;

c) la raison pour laquelle les oeufs transformés non comestibles ont été ainsi obtenus.

8. Les locaux où les oeufs sont transformés aux fins de consommation humaine sont construits, entretenus et exploités conformément aux conditions suivantes :

1. Chaque pièce du poste est de construction solide, propre et en bon état.
2. Le poste comprend des pièces distinctes, le cas échéant, pour :
 - i. la réception, la conservation et l'entreposage des oeufs,
 - ii. le lavage et le mirage des oeufs ainsi que leur transfert vers les appareils de transformation,
 - iii. la transformation des oeufs,
 - iv. l'emballage des oeufs liquides transformés,
 - v. la conservation des oeufs liquides,
 - vi. la congélation des oeufs transformés,
 - vii. l'inspection des oeufs transformés par un inspecteur si l'usage d'une telle pièce est exigé par le directeur régional de la Division de l'aviculture d'Agriculture Canada.
3. Les planchers, les murs et les plafonds du poste sont à l'épreuve de l'humidité et ont un revêtement dur qui se prête bien au nettoyage.
4. Le poste comporte des vestiaires et des cabinets de toilette :
 - i. assez grands et suffisamment équipés pour le nombre de personnes qui les utilisent,
 - ii. bien éclairés et ventilés vers l'extérieur,
 - iii. séparés des pièces servant à la transformation des oeufs et n'ouvrant pas directement sur elles.
5. Le poste est pourvu de drains, de plomberie et d'égouts :
 - i. suffisants pour permettre l'élimination de tous les déchets,
 - ii. munis de siphons et d'orifices de sortie convenables,
 - iii. conçus de sorte que l'eau puisse s'écouler rapidement à l'intérieur du poste.
6. Le poste est éclairé convenablement.
7. Le poste est aménagé de manière à empêcher les mouches, les rongeurs et autres ravageurs d'y pénétrer.
8. Les portes des pièces servant à la transformation des oeufs sont munies de dispositifs de fermeture automatique.
9. Les dimensions et la disposition des pièces et du matériel du poste permettent une bonne manutention du volume d'oeufs transformés.
10. Les pièces du poste, à l'exclusion des chambres d'entreposage frigorifique, sont ventilées par un courant continu d'air frais.
11. Les pièces du poste servant à la transformation et à l'emballage sont ventilées par un courant d'air filtré tiré de l'extérieur.
12. Le poste dispose d'un approvisionnement abondant en eau potable, chaude et froide, sous pression suffisante dans chaque lavabo, cabinet de toilette et pièce du poste servant à la manutention des oeufs et des oeufs transformés.
13. La pièce du poste servant à la transformation est pourvue :
 - i. de matériel facile d'accès pour se laver les mains, y compris du savon inodore, des essuie-mains ou d'autres moyens de se sécher les mains,
 - ii. de récipients couverts pour la collecte des oeufs rejetés et des oeufs liquides rejetés.
14. Le poste est pourvu d'appareils de réfrigération qui conviennent au refroidissement et à l'entreposage d'oeufs liquides, si des oeufs liquides y sont transformés ou entreposés.
15. Les outils et le matériel servant à la transformation et à l'emballage des oeufs transformés sont :
 - i. fabriqués d'une matière à l'épreuve de la rouille et de la corrosion,
 - ii. conçus et fabriqués de sorte qu'ils soient faciles à nettoyer et à stériliser,
 - iii. stérilisés tous les jours avant usage,

- iv. lavés dans une solution stérilisante toutes les quatre heures et à la fin de chaque journée de travail,
 - v. égouttés et séchés à la fin de chaque journée de travail.
16. Le matériel du poste servant au lavage et au mirage des oeufs est d'un bon rendement et facile à nettoyer.
17. Aucun oeuf ne doit être lavé dans une pièce servant à la transformation des oeufs.
18. Les oeufs destinés à la transformation sont lavés dans de l'eau claire :
- i. maintenue à une température d'au moins 32,2 °C et dépassant celle des oeufs d'au moins 11,1°,
 - ii. contenant un nettoyant,
 - iii. assurant un lavage continu des oeufs,
 - iv. renouvelée au moins toutes les quatre heures et à la fin de chaque période de travail,
 - v. maintenue à un niveau permettant un débordement continu.
19. Après le lavage et immédiatement avant d'être transformés, les oeufs sont rincés par pulvérisation d'un désinfectant.
20. Les coquilles d'oeufs sont évacuées de la pièce servant à la transformation de façon continue ou au moins quatre fois par jour.
21. Les outils ou autre matériel qui entrent en contact avec des oeufs non comestibles ou des oeufs transformés non comestibles sont lavés dans une solution stérilisante avant d'être réutilisés.
22. Les employés du poste portent des vêtements propres, y compris un couvre-chef couvrant complètement la chevelure.
23. Les employés du poste ne doivent pas avoir de maladie contagieuse et, si un inspecteur le leur demande, ils subissent un examen médical pour le confirmer.
24. Il est interdit de fumer, de chiquer ou de mâcher du chewing-gum dans les pièces du poste où des oeufs à l'état liquide ou semi-liquide sont exposés à l'air libre.
25. Quiconque, à l'intérieur du poste, manutentionne des oeufs transformés se lave les mains et les rince à fond dans une solution désinfectante non irritante chaque fois qu'il entre dans la pièce servant à la transformation et immédiatement après avoir manutentionné des oeufs non comestibles ou des oeufs transformés non comestibles.
26. Les oeufs non comestibles et les oeufs transformés non comestibles sont placés dans un contenant portant les mentions «not for human consumption».
27. Aucune substance susceptible de dégager une odeur pouvant altérer la saveur des oeufs transformés n'est conservée au poste.
28. Les contenants :
- i. s'ils sont faits d'une matière lavable, sont lavés, rincés, égouttés et stérilisés à fond avant d'être emballés au poste,
 - ii. ne sont pas empilés les uns dans les autres,
 - iii. ne sont jamais placés sur le plancher du poste avant ou après l'emballage.
29. Les pompes, les homogénéisateurs et les pasteurisateurs utilisés pour la transformation sont nettoyés par recirculation ou démontés, nettoyés et désinfectés après usage et en cas de besoin.
30. Les oeufs transformés sont conformes aux exigences énoncées à l'annexe en ce qui a trait à la pasteurisation.
31. Les récipients pour les coquilles d'oeufs et le matériel servant à l'élimination de ces coquilles sont propres et hygiéniques.
32. Les contenants reçus au poste sont exempts de saleté et de résidus d'oeufs.
33. Sauf autorisation écrite du directeur régional de la Division de l'aviculture d'Agriculture Canada, les oeufs transformés à l'état liquide ne sont pas sortis du poste à moins qu'ils n'aient été refroidis à une température de 4,4 °C au plus.
34. Les oeufs congelés sont congelés complètement ou refroidis à une température d'au moins - 12 °C :
- i. soit dans les 60 heures qui suivent le cassage s'ils n'ont pas été pasteurisés,
 - ii. soit dans les 60 heures qui suivent la pasteurisation s'ils ont été pasteurisés.
35. La transformation et l'emballage des oeufs transformés sont conformes aux normes d'hygiène.
36. Aucun oeuf transformé ne doit être reçu au poste à moins qu'il n'ait été classé, emballé et marqué conformément au présent règlement.

9. Les dénominations de catégorie suivantes pour les oeufs transformés ainsi que les catégories et les normes à leur égard, établies aux termes de la *Loi sur les produits agricoles au Canada*, sont adoptées en entier :

1. Canada A.
2. Canada B.
3. Canada C.

10. Les oeufs transformés ne peuvent être classés que s'ils sont préparés à partir d'oeufs qui :

- a) sont exempts de taches excessives;
- b) ne sont pas des oeufs non comestibles ni des oeufs qui coulent;
- c) sont exempts de saleté et autre substance étrangère.

11. Pour l'application de l'article 10, une tache excessive s'entend de toute substance adhérant à la coquille d'un oeuf autre que de la saleté ou un dessin ou un motif qui s'étend sur plus du tiers de la surface de la coquille.

12. (1) Les oeufs transformés ne doivent être classés qu'à un poste enregistré d'oeufs transformés.

(2) Les oeufs transformés ne peuvent être classés que s'ils ont été préparés à un poste enregistré d'oeufs transformés.

13. (1) Les contenants d'oeufs transformés classés aux termes du présent règlement sont propres et exempts de toute décoloration et odeur désagréable, sont assez résistants pour protéger les oeufs transformés et, s'ils sont faits de carton ondulé, sont neufs.

(2) Les doublures des contenants sont neuves.

(3) Les oeufs transformés ne peuvent être emballés dans un contenant qu'avec des oeufs transformés de même forme, de même espèce et de même catégorie.

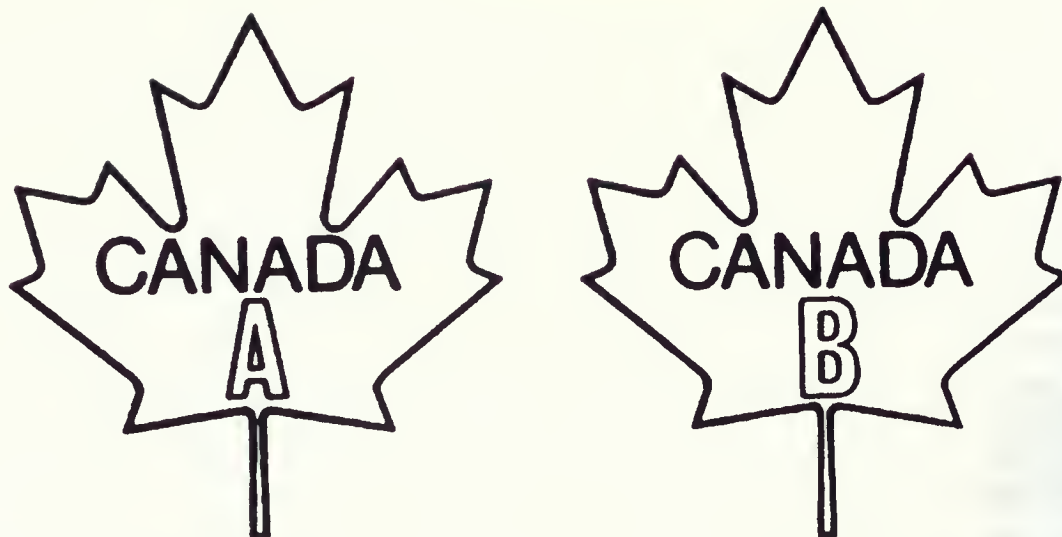
14. (1) Sauf disposition contraire, chaque contenant d'oeufs transformés est marqué de façon à indiquer :

- a) le nom usuel des oeufs transformés;
- b) la dénomination de catégorie des oeufs transformés;
- c) la quantité nette d'oeufs transformés;
- d) le nom usuel des ingrédients et des composantes des oeufs transformés;
- e) la mention «lot number» suivie d'une série de chiffres qui, selon l'usage généralement reconnu, indiquent les jour, mois et année de la préparation des oeufs transformés, ainsi qu'un chiffre ou une lettre identifiant le lot si plus d'un lot a été préparé le même jour;
- f) l'identité de la personne par qui ou pour qui les oeufs transformés ont été fabriqués ou produits aux fins de revente, ainsi que son établissement principal;
- g) la mention «reg. no.» suivie du numéro de permis du poste enregistré d'oeufs transformés où les oeufs transformés ont été préparés;
- h) si un colorant alimentaire a été ajouté, la mention «contains colour» ou «colour added»;
- i) si les oeufs transformés proviennent d'oeufs de dinde et de poule domestiques, la mention «product of turkey eggs» ou «product of turkey eggs and chicken eggs», selon le cas.

(2) Les renseignements exigés par le paragraphe (1) sont imprimés, estampillés ou peints au pochoir sur le côté du contenant.

(3) Les marques imprimées, estampillées ou peintes au pochoir exigées par le paragraphe (1) sont apposées de sorte que les oeufs transformés portent les marques au moment de la vente.

(4) Le chiffre correspondant à la quantité nette et les mots «Canada A», «Canada B» ou «Canada C» figurant dans une dénomination de catégorie ou une désignation de catégorie sont inscrits en caractères gras d'au moins $\frac{3}{8}$ de pouce de haut. Si la dénomination de catégorie est Canada A ou Canada B, la catégorie figure à l'intérieur du dessin d'une feuille d'érable, comme suit :



(5) Si les oeufs transformés sont de catégorie Canada C, le dessin de la feuille d'érable ne doit pas figurer sur le contenant et la dénomination de catégorie figure sur celui-ci comme suit :

CANADA
C

(6) Les renseignements autres que ceux visés au paragraphe (4) figurent en lettres d'au moins ¼ de pouce de haut.

(7) Aucun contenant d'oeufs transformés classés conformément au présent règlement ne doit porter de mention déclarant ou donnant à penser que le produit qu'il contient est supérieur à la catégorie marquée sur le contenant.

15. (1) L'inspecteur peut, au moment où les oeufs transformés sont produits ou après, choisir des échantillons dans chaque lot d'oeufs transformés produits par un poste enregistré d'oeufs transformés.

(2) Le nombre de contenants par lot à choisir aux fins d'échantillonnage est déterminé conformément au tableau suivant :

TABLEAU

| Colonne I | Colonne II |
|------------------------------|---|
| Nombre de contenants par lot | Nombre minimal de contenants à choisir comme échantillons |
| 1 à 25 | 4 |
| 26 à 50 | 4 |
| 51 à 100 | 6 |
| 101 à 150 | 8 |
| 151 à 200 | 10 |
| 201 à 300 | 12 |
| 301 à 400 | 14 |
| 401 à 500 | 16 |
| 501 à 800 | 18 |
| 801 à 1 000 | 20 |
| 1 001 et plus | 1 pour cent du total |

16. (1) Quiconque exploite un poste enregistré d'oeufs transformés fait parvenir au directeur régional de la Division de l'aviculture d'Agriculture Canada un rapport hebdomadaire rédigé sur une formule approuvée par le ministre de l'Agriculture du Canada et indiquant :

- a) la quantité d'oeufs transformés classés pendant la semaine, rapportée de la manière exigée dans la formule;
- b) la quantité d'oeufs utilisés dans la préparation d'oeufs transformés pendant la semaine, rapportée selon les catégories;
- c) tout autre renseignement demandé sur la formule.

(2) Quiconque exploite un poste enregistré d'oeufs transformés fournit au directeur régional de la Division de l'aviculture d'Agriculture Canada, à sa demande et pour la période qu'il indique, des renseignements sur la quantité d'oeufs ainsi que le nombre de contenants d'oeufs transformés qui ont été reçus, vendus, expédiés et conservés au poste d'oeufs transformés pendant cette période.

17. (1) Nul ne doit annoncer des oeufs transformés à vendre à moins que ne soit apposée bien en vue sur l'annonce une déclaration énonçant la dénomination de catégorie des oeufs transformés annoncés.

(2) Dans une annonce d'oeufs transformés où figure le prix, la dénomination de catégorie est indiquée en lettres au moins aussi grandes et aussi bien en vue que le prix.

(3) Nul ne doit, dans une annonce d'oeufs transformés à vendre :

- a) soit faire une déclaration ou une insinuation erronée, mensongère ou trompeuse;
- b) soit utiliser des mots ou des expressions qui donnent à penser que les oeufs transformés de la catégorie annoncée sont, sur le plan de l'état ou de la qualité, supérieurs à ce qui est exigé pour les oeufs transformés de cette catégorie.

18. (1) L'exploitant d'un poste enregistré d'oeufs transformés tient des registres complets de tous les achats d'oeufs utilisés dans la production d'oeufs transformés et de tous les achats d'oeufs transformés auprès d'autres postes enregistrés, et il en assume la responsabilité.

(2) Dans les registres relatifs aux achats d'oeufs et d'oeufs transformés figurent les renseignements suivants :

- a) les nom et adresse de la personne de qui les oeufs ont été reçus;
- b) les nom et adresse du poste enregistré d'oeufs transformés d'où les oeufs transformés ont été reçus;
- c) la date de réception;
- d) la quantité d'oeufs ou la quantité d'oeufs transformés et le poids de ces derniers;
- e) le prix unitaire demandé pour les oeufs ou le prix au poids demandé pour les oeufs transformés;
- f) la valeur totale des oeufs ou des oeufs transformés.

(3) L'exploitant d'un poste enregistré d'oeufs transformés conserve les registres exigés par les paragraphes (1) et (2) à son établissement pendant 90 jours.

19. Un inspecteur peut détenir les oeufs transformés qui ne sont pas conformes à la Loi ni au présent règlement en apposant sur au moins un contenant du lot une étiquette de détention rédigée selon la formule 9.

20. Après avoir, en vertu de l'article 19, apposé une étiquette de détention, l'inspecteur remet ou envoie par la poste immédiatement au propriétaire des oeufs transformés confisqués, ou à son mandataire, ainsi qu'à l'occupant des locaux où ils sont détenus un avis de détention rédigé selon la formule 7.

21. Sauf autorisation d'un inspecteur, nul ne doit modifier ni enlever une étiquette de détention apposée en vertu de l'article 19 sur un contenant d'oeufs transformés.

22. Sauf autorisation écrite d'un inspecteur, nul ne doit enlever, vendre ou autrement disposer d'oeufs transformés faisant partie d'un lot à l'égard duquel une étiquette de détention a été apposée sur un contenant en vertu de l'article 19.

23. L'inspecteur qui est convaincu que des oeufs transformés détenus sont conformes au présent règlement rédige un avis de mainlevée de la détention selon la formule 8. Il en remet ou envoie par la poste une copie au propriétaire des oeufs transformés et une copie à la personne dans les locaux de laquelle les oeufs transformés étaient détenus.

ANNEXE EXIGENCES RELATIVES À LA PASTEURISATION

Les oeufs transformés figurant à la colonne 1 doivent être chauffés au moins à la température indiquée à la colonne 2 pendant au moins le nombre de minutes indiqué à la colonne 3.

| Colonne 1 | Colonne 2 | Colonne 3 |
|--|----------------------|-------------------------------|
| Oeufs liquides | Température minimale | Période de chauffage minimale |
| | Degrés Celsius | Minutes |
| Albumen (non additionné de produits chimiques) | 55 | 3,5 |
| | ou 53 | 6,2 |
| Oeufs entiers | 60 | 3,5 |
| Oeufs entiers contenant de 24,75 à 38 pour cent de solides d'oeuf | 61 | 3,5 |
| | ou 60 | 6,2 |
| Mélange additionné de 2 pour cent ou plus de sel | 63 | 3,5 |
| | ou 62 | 6,2 |
| Mélange additionné de 2 à 12 pour cent de sucre | 61 | 3,5 |
| | ou 60 | 6,2 |
| Mélange additionné de 2 pour cent au plus d'ingrédients supplémentaires | 61 | 3,5 |
| | ou 60 | 6,2 |
| Mélange contenant de 24,5 à 38 pour cent de solides d'oeuf et additionné de 2 à 12 pour cent d'ingrédients supplémentaires | 62 | 3,5 |
| | ou 61 | 6,2 |
| Jaune | 61 | 3,5 |
| | ou 60 | 6,2 |
| Jaune additionné de 2 pour cent ou plus de sucre | 63 | 3,5 |
| | ou 62 | 6,2 |
| Jaune additionné de 2 à 12 pour cent de sel | 63 | 3,5 |
| | ou 62 | 6,2 |

FORMULE I
OEUFS TRANSFORMÉS — DEMANDE DE PERMIS D'EXPLOITATION D'UN POSTE
D'OEUFS TRANSFORMÉS

Loi sur le bétail et les produits du bétail

Destinataire : Commissaire au bétail

.....
(nom de l'auteur de la demande)

.....
(adresse)

demande un permis d'exploitation d'un poste d'oeufs transformés aux termes de la *Loi sur le bétail et les produits du bétail* et de ses règlements, et donne les renseignements suivants à l'appui de sa demande :

1. Adresse commerciale de l'auteur de la demande

2. Nom du poste d'oeufs transformés

3. Emplacement du poste d'oeufs transformés

.....
(lot et concession, municipalité, comté)

4. Propriétaire du poste d'oeufs transformés

.....
(nom de la personne, de la personne morale ou de la société en nom collectif et nom des associés dans le dernier cas)

5. Les locaux du poste d'oeufs transformés sont conformes aux règlements.

.....
(signature de l'auteur de la demande)

par
(titre du signataire s'il s'agit d'une société en nom collectif ou d'une personne morale)

FORMULE 2
OEUFS TRANSFORMÉS — PERMIS D'EXPLOITATION D'UN POSTE D'OEUFS
TRANSFORMÉS

Loi sur le bétail et les produits du bétail

En vertu de la *Loi sur le bétail et les produits du bétail* et de ses règlements, et sous réserve des restrictions qui y sont prévues, le présent permis est délivré à

.....
 (nom)

.....
 (adresse)

pour l'exploitation d'un poste d'oeufs transformés à

.....
 (emplacement)

Le présent permis est incessible.

Le présent permis est valide à moins que le commissaire ne le suspende ou ne le révoque ou que son titulaire cesse d'exploiter le poste d'oeufs transformés.

Délivré à Toronto, le 20.....

.....
 Commissaire au bétail

FORMULE 3
DEMANDE DE PERMIS DE VENTE D'OEUFS NON COMESTIBLES OU D'OEUFS
TRANSFORMÉS NON COMESTIBLES

Loi sur le bétail et les produits du bétail

Destinataire : Commissaire au bétail

.....
 (nom de l'auteur de la demande)

.....
 (adresse)

demande un permis de vente d'oeufs non comestibles ou d'oeufs transformés non comestibles aux termes de la *Loi sur le bétail et les produits du bétail* et de ses règlements, et donne les renseignements suivants à l'appui de sa demande :

1. Emplacement des locaux de l'auteur de la demande

2. Propriétaire des locaux

.....
 (nom de la personne, de la personne morale ou de la société en nom collectif et nom des associés dans le dernier cas)

3. Nom sous lequel l'entreprise exerce son activité

4. L'auteur de la demande s'est conformé aux règlements.

Date

.....
 (signature de l'auteur de la demande)

FORMULE 4
PERMIS DE VENTE D'OEUFs NON COMESTIBLES OU D'OEUFs TRANSFORMÉS
NON COMESTIBLES

Loi sur le bétail et les produits du bétail

En vertu de la *Loi sur le bétail et les produits du bétail* et de ses règlements, et sous réserve des restrictions qui y sont prévues, le présent permis est délivré à

.....
(nom)

.....
(adresse)

pour la vente d'oeufs non comestibles ou d'oeufs transformés non comestibles.

Le présent permis est incessible.

Le présent permis est valide à moins que le commissaire ne le suspende ou ne le révoque.

Délivré à Toronto, le 20.....

.....
Commissaire au bétail

FORMULE 5
DEMANDE DE PERMIS D'ACHAT D'OEUFs NON COMESTIBLES OU D'OEUFs
TRANSFORMÉS NON COMESTIBLES

Loi sur le bétail et les produits du bétail

Destinataire : Commissaire au bétail

.....
(nom de l'auteur de la demande)

.....
(adresse)

demande un permis d'achat d'oeufs non comestibles ou d'oeufs transformés non comestibles aux termes de la *Loi sur le bétail et les produits du bétail* et de ses règlements, et donne les renseignements suivants à l'appui de sa demande :

1. Emplacement des locaux de l'auteur de la demande

2. Propriétaire des locaux

.....
(nom de la personne, de la personne morale ou de la société en nom collectif et nom des associés dans le dernier cas)

3. Nom sous lequel l'entreprise exerce son activité

4. L'auteur de la demande s'est conformé aux règlements.

Date

.....
(signature de l'auteur de la demande)

FORMULE 6

PERMIS D'ACHAT D'OEUFs NON COMESTIBLES OU D'OEUFs TRANSFORMÉS NON COMESTIBLES

Loi sur le bétail et les produits du bétail

En vertu de la *Loi sur le bétail et les produits du bétail* et de ses règlements, et sous réserve des restrictions qui y sont prévues, le présent permis est délivré à

.....
(nom)

.....
(adresse)

pour l'achat d'oeufs non comestibles ou d'oeufs transformés non comestibles.

Le présent permis est incessible.

Le présent permis est valide à moins que le commissaire ne le suspende ou ne le révoque.

Délivré à Toronto, le 20.....

.....
Commissaire au bétail

FORMULE 7

OEUFs TRANSFORMÉS — AVIS DE DÉTENTION

Loi sur le bétail et les produits du bétail

Lieu Date

Destinataire
(nom) (adresse)

La présente a pour but de vous aviser que le lot d'oeufs transformés décrit ci-dessous est en détention :

.....
.....
.....

et qu'une étiquette, portant le numéro, a été apposée sur l'un des contenants de ce lot.

Vous êtes autorisé à déplacer ces oeufs transformés à l'endroit suivant pour corriger la situation :

.....
.....
.....

Motifs de la détention

.....
.....
.....

Le présent avis a été

(préciser si l'avis a été remis en mains propres ou envoyé par la poste)

et

(préciser si une copie de l'avis a été remise ou envoyée par la poste à la personne en possession des oeufs)

.....
(signature de l'inspecteur)

FORMULE 8
OEUFS TRANSFORMÉS — AVIS DE MAINLEVÉE DE LA DÉTENTION

Loi sur le bétail et les produits du bétail

Lieu Date

Destinataire
(nom) (adresse)

La présente a pour but de vous aviser que mainlevée est accordée pour le lot d'oeufs transformés détenu à

.....
(lieu de détention)

le et auquel l'étiquette portant le
(date de détention)

numéro a été apposée sur l'un des contenants.

Le présent avis de mainlevée a été
(indiquer si l'avis a été remis en mains propres ou envoyé par la poste)

.....
(signature de l'inspecteur)

FORMULE 9
OEUFS TRANSFORMÉS — OEUFS TRANSFORMÉS DÉTENUS

Loi sur le bétail et les produits du bétail

Étiquette n°

En vertu de la *Loi sur le bétail et les produits du bétail* et de ses règlements, j'ai ordonné la détention des oeufs transformés du lot d'oeufs transformés compris dans le contenant décrit ci-dessous ou celui sur lequel cette étiquette est apposée :

.....
.....
.....
Date
(signature de l'inspecteur)

ONTARIO REGULATION 287/06

made under the

LIVESTOCK AND LIVESTOCK PRODUCTS ACT

Made: June 7, 2006

Filed: June 13, 2006

Published on e-Laws: June 15, 2006

Printed in *The Ontario Gazette*: July 1, 2006

Amending Reg. 727 of R.R.O. 1990

(Wool)

Note: Regulation 727 has not previously been amended.

1. Regulation 727 of the Revised Regulations of Ontario, 1990 is amended by adding the following French version:**LAINE**

1. Les définitions qui suivent s'appliquent au présent règlement.

«collecteur de laine» Collecteur de laine non classée auprès des producteurs. («wool collector»)

«grossiste» Personne qui exploite un établissement où la laine est assemblée, classée, achetée, mise en vente ou vendue. («warehouser»)

«producteur» Personne qui vend de la laine produite sur sa propre exploitation agricole ou sur son propre ranch. («producer»)

2. La laine est désignée comme produit du bétail.

3. Les marchands de laine sont dispensés de l'observation des dispositions de l'article 2 de la Loi.

4. Aux fins de classement, toute la laine produite en Ontario est appelée laine de tonte domestique de l'Est et est conforme aux normes suivantes :

1. Sélection spéciale, qui consiste en une toison de choix spongieuse, propre et peu rétrécissante.

2. Feutre à papier, qui consiste en des toisons longues fibres uniformes et en bon état appropriées pour la fabrication de feutres de papeterie.

3. Ordinaire, qui comprend toutes les autres laines de tonte.

5. Lorsque la laine est classée, le classement se fait comme suit :

| | | |
|----|---|----------------|
| 1. | Anglaise Southdown | 56/58s. |
| 2. | Qualité moyenne | 56s. |
| 3. | Finesse moyenne | (croisée 3/8). |
| 4. | Fibre moyenne inférieure | 48/50s. |
| 5. | Fibre inférieure | 44/46s. |
| 6. | Rude | 36/40s. |
| 7. | Défectueuse : | |
| | (a) grise et noire; | |
| | (b) morte; | |
| | (c) légèrement pailleuse et chargée de bardane; | |
| | (d) considérablement pailleuse et chargée de bardane; | |
| | (e) enchevêtrements mous; | |
| | (f) enchevêtrements durs; | |
| | (g) bourre; | |
| | (h) endommagée; | |
| | (i) rêche; | |
| | (j) souillée. | |

6. Au moment de la collecte ou de la réception de la laine, le collecteur de laine :

- a) d'une part, détermine le lot de laine qui est la propriété d'un producteur donné;
- b) d'autre part, remet au producteur une copie d'un relevé où figurent les renseignements suivants :
 - (i) les nom et adresse du collecteur de laine,
 - (ii) le nom du grossiste à qui la laine doit être livrée,
 - (iii) les nom et adresse du producteur,
 - (iv) une mention expliquant si le règlement avec les producteurs doit être basé sur de la laine classée ou non classée,
 - (v) la date de la collecte ou de la réception,
 - (vi) le nombre de paquets dans chaque lot,
 - (vii) la signature du collecteur de laine,
 - (viii) la signature du producteur.

Il conserve en outre une copie du relevé pendant au moins six mois et en envoie une au grossiste.

7. Le collecteur de laine envoie ou livre immédiatement toute la laine non classée à un grossiste.

8. La laine est classée seulement dans les locaux exploités par un grossiste.

9. (1) Lorsqu'un règlement avec un producteur doit être basé sur de la laine classée, le grossiste classe la laine dans le mois qui suit la date où il la reçoit.

(2) Une fois la laine classée, le grossiste dresse un relevé des produits lainiers selon la formule 1 pour chaque lot de laine qu'il a reçu.

(3) Le grossiste remet au producteur une copie du relevé des produits lainiers visé au paragraphe (2) au moment du règlement concernant la laine et en conserve une copie pendant un an.

10. Lorsqu'un règlement avec un producteur doit être basé sur de la laine non classée, le grossiste remet au producteur une copie d'un relevé des produits lainiers dressé selon la formule 2 au moment du règlement concernant la laine et en conserve une copie pendant un an.

11. À moins que la laine n'ait été classée conformément au présent règlement, nul ne doit :

- a) l'inclure dans une catégorie établie par le présent règlement;
- b) vendre ou mettre en vente de la laine par catégorie.

12. Le présent règlement ne s'applique pas à la laine qu'un producteur livre ou donne en consignment à un fabricant de lainages destinés à être cardés ou traités de quelque autre façon.

FORMULE 1
RELEVÉ DE PRODUITS LAINIERS — LAINE DE TONTE DOMESTIQUE DE L'EST

Loi sur le bétail et les produits du bétail

| | | | |
|--|--------------------|---|-----------------------------------|
| | | | Lot n° |
| | | | Poids à la réception à l'entrepôt |
| Nom du producteur | | | Brut |
| Adresse | | Prov. | Tare |
| Via | | Poches | Sacs |
| | Catégorie | Poids | Prix |
| Anglaise Southdown | | 56/58s | |
| Qualité moyenne | | 56s | |
| Finesse moyenne (croisée 3/8) | | | |
| Fibre moyenne inférieure | | 48/50s | |
| Fibre inférieure | | 44/46s | |
| Rude | | 36/40s | |
| Défectueuse : Grise et noire | | | |
| Morte | | | |
| Légèrement pailleuse et chargée de bardane | | | |
| Considérablement pailleuse et chargée de bardane | | | |
| Enchevêtrements mous | | | |
| Enchevêtrements durs | | | |
| Bourre | | | |
| Endommagée | | | |
| Rêche | | | |
| Souillée | | | |
| Totaux | | | \$ |
| Dédutions : Chargement ou transport | | \$ | |
| Versements par anticipation | | \$ | |
| | | \$ | \$ |
| Date de règlement | | Solde au producteur | |
| Date de réception | Date de classement | Préposé au classement | |
| Signature du grossiste | | | |
| Nom du collecteur de laine | | | |
| Remarques | | | |
| Lot propre | | Les catégories correspondant aux renseignements ci-dessus | |
| Défectueux | | | |

.....
Signature de l'inspecteur

FORMULE 2
RELEVÉ DES PRODUITS LAINIERS

Loi sur le bétail et les produits du bétail

.....
(nom du producteur)

.....
(adresse)

.....
(prov.)

.....
(via)

Nombre de poches de laine

Poids de la laine

Date de réception

Prix à la livre

Prix total

Déduction, chargement ou transport

Versements par anticipation

Solde au producteur

Date de règlement

Signature du grossiste

26/06

ONTARIO REGULATION 288/06

made under the

LIVESTOCK COMMUNITY SALES ACT

Made: June 7, 2006

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Amending Reg. 729 of R.R.O. 1990
(General)

Note: Regulation 729 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Regulation 729 of the Revised Regulations of Ontario, 1990 is amended by adding the following French version:

DISPOSITIONS GÉNÉRALES

CATÉGORIES DE VENTES À L'ENCAN

1. Sont établies les catégories suivantes de ventes à l'encan :

1. Catégorie 1 : ventes à l'encan se déroulant au plus une fois par semaine.
2. Catégorie 2 : ventes à l'encan se déroulant au plus deux fois par semaine.
3. Catégorie 3 : ventes à l'encan se déroulant plus de deux fois par semaine, lorsque l'aménagement des locaux permet de loger séparément les bovins destinés à la vente pour abattage.
4.

2. Les ventes effectuées principalement dans le but de vendre du bétail de race qui est ou peut être enregistré conformément à la *Loi sur la généalogie des animaux* (Canada) sont désignées pour l'application de l'alinéa 2 c) de la Loi.

3. (1) La demande de délivrance ou de renouvellement d'un permis d'exploitation d'un commerce de vente à l'encan est présentée au directeur selon la formule que ce dernier fournit.

(2) Les droits à acquitter pour les permis sont joints à la demande et sont fixés comme suit :

a) lorsque le permis couvre une période débutant avant le 1^{er} juillet :

- (i) 300 \$ pour les ventes à l'encan de catégorie 1,
- (ii) 600 \$ pour les ventes à l'encan de catégorie 2,
- (iii) 1 500 \$ pour les ventes à l'encan de catégorie 3;
- (iv)

b) lorsque le permis couvre une période débutant le 1^{er} juillet ou après cette date, la moitié des droits prescrits à l'alinéa a).

(3) Lorsque :

a) d'une part, un permis a été délivré pour les ventes à l'encan de catégorie 1;

b) d'autre part, pendant l'année visée par le permis, une demande de permis de vente à l'encan de catégorie 2 est présentée,

les droits à acquitter pour le permis de vente à l'encan de catégorie 2 sont de 300 \$ si le permis couvre une période débutant avant le 1^{er} juillet de l'année visée par le permis ou de 150 \$ s'il couvre une période débutant après celle-ci et ils s'ajoutent à ceux acquittés pour le permis de vente à l'encan de catégorie 1.

(4) Les permis expirent le 31 décembre de l'année ou de la partie d'année pour laquelle ils sont délivrés.

(5) Les permis sont incessibles.

3.1 Un permis ne doit être délivré ou renouvelé que si un inspecteur est employé par l'auteur de la demande ou le titulaire du permis afin d'effectuer des inspections.

4. (1) Les exploitants qui sont titulaires d'un permis de vente à l'encan de catégorie 1 ou 2 peuvent présenter une demande de permis spécial en vue d'effectuer une vente à l'encan supplémentaire non autorisée par le permis de vente à l'encan de catégorie 1 ou 2.

(2) Au plus six permis spéciaux par an sont octroyés aux exploitants.

(3) La demande de permis spécial est présentée au directeur selon la formule que ce dernier fournit et est déposée au moins 30 jours avant la date prévue pour la vente à l'encan supplémentaire.

(4) Les droits à acquitter pour les permis spéciaux sont de 25 \$ et sont joints à la demande.

(5) La date prévue pour la vente à l'encan supplémentaire est indiquée sur le permis spécial.

CONDITIONS DE DÉLIVRANCE DE PERMIS ADDITIONNELLES

5. Outre les conditions prévues à l'article 11 de la Loi, le permis est subordonné au respect, par son titulaire, des conditions suivantes :

- a) assurer contre la perte ou les dommages dus aux incendies ou à la foudre, auprès d'un assureur titulaire d'un permis délivré en vertu de la *Loi sur les assurances*, tout le bétail qu'il accepte de vendre à l'occasion d'une vente à l'encan, pour sa pleine valeur marchande, pendant que le bétail est dans ses locaux;
- b) prévoir au moins deux sorties directes de chaque bâtiment, à l'usage des personnes se trouvant dans les locaux pour les ventes à l'encan;
- c) prévoir des moyens raisonnables d'évacuation du bétail en cas d'incendie touchant ou menaçant les bâtiments servant d'étables pour le bétail destiné à une vente à l'encan;
- d) prévoir des moyens de combattre les incendies qui peuvent prendre naissance dans les locaux;

- e) donner au directeur un avis écrit d'au moins 30 jours de la date prévue d'une vente à l'encan, sauf si la date était indiquée dans la demande de permis;
- f) dans les cinq jours qui suivent le déroulement de chaque vente à l'encan, aviser le directeur des nom et adresse des consignateurs qui n'ont pas été entièrement payés pour le bétail qu'ils ont vendu à l'occasion de la vente à l'encan et du solde de leur créance;
- g) fournir les renseignements que le directeur exige, y compris les états financiers vérifiés, relativement au déroulement des ventes à l'encan;
- h) employer un inspecteur au cours de la période de validité du permis et se conformer à ses directives;
- i) dans le cas des permis de vente à l'encan de catégorie 1, ne pas effectuer plus d'une vente à l'encan par semaine;
- j) dans le cas des permis de vente à l'encan de catégorie 2, ne pas effectuer plus de deux ventes à l'encan par semaine.

CAUTIONNEMENT DES EXPLOITANTS

6. (1) L'exploitant dépose auprès du directeur, au plus tard lorsqu'il présente une demande de délivrance ou de renouvellement de permis, une garantie sous l'une des formes suivantes :

- a) des valeurs mobilières directes et garanties émises par le gouvernement du Canada;
- b) des valeurs mobilières directes et garanties émises par le gouvernement de l'Ontario;
- c) des certificats de placement garanti émis par une société de fiducie inscrite en vertu de la *Loi sur les sociétés de prêt et de fiducie* ou par une caisse constituée en personne morale en vertu de la *Loi de 1994 sur les caisses populaires et les credit unions*;
- d) des débetures émises par une société de prêt inscrite en vertu de la *Loi sur les sociétés de prêt et de fiducie*;
- e) une lettre de crédit irrévocable délivrée par une banque mentionnée à l'annexe 1 ou II de la *Loi sur les banques* (Canada) et payable au directeur;
- f) un chèque visé tiré sur une banque mentionnée à l'annexe 1 ou II de la *Loi sur les banques* (Canada) et payable au directeur;
- g) un cautionnement, rédigé selon la formule approuvée par le directeur, d'une compagnie de cautionnement agréée en vertu de la *Loi sur les compagnies de cautionnement*.

(2) Le montant de la garantie visée au paragraphe (1) est :

- a) dans le cas du permis de vente à l'encan de catégorie 1 :
 - (i) de 10 000 \$ si la moyenne annuelle des revenus bruts par vente ne dépasse pas 50 000 \$,
 - (ii) de 20 000 \$ si la moyenne annuelle des revenus bruts par vente dépasse 50 000 \$ mais non 200 000 \$,
 - (iii) de 25 000 \$ si la moyenne annuelle des revenus bruts par vente dépasse 200 000 \$;
- b) de 25 000 \$ dans le cas du permis de vente à l'encan de catégorie 2;
- c) de 50 000 \$ dans le cas du permis de vente à l'encan de catégorie 3;
- d)

7. (1) La garantie déposée aux termes de l'article 6 ne peut être affectée qu'aux réclamations impayées des consignateurs de bétail à la suite d'une vente à l'encan effectuée par l'exploitant conformément à la Loi et au présent règlement.

(2) La garantie déposée aux termes de l'article 6 reste en dépôt auprès du directeur pour une période d'un an :

- a) soit après la date à laquelle l'exploitant cesse, selon le cas :
 - (i) l'exploitation d'un commerce de vente à l'encan,
 - (ii) d'être titulaire d'un permis;
- b) soit, dans le cas d'un cautionnement, après la date à laquelle son annulation prend effet.

8. (1) Dans les 90 jours qui suivent la date à laquelle son bétail est vendu à l'occasion d'une vente à l'encan, le consignateur peut déposer auprès du directeur une réclamation contre l'exploitant qui a effectué la vente et omis de le payer pour du bétail vendu lorsque le paiement est devenu exigible.

(2) Lorsqu'il reçoit une réclamation visée au paragraphe (1) d'un consignateur, le directeur en avise l'exploitant par écrit.

(3) L'exploitant qui conteste la réclamation du consignateur avise le directeur par écrit dans les 10 jours de la mise à la poste ou de la remise de l'avis mentionné au paragraphe (2).

(4) Lorsqu'il reçoit un avis aux termes du paragraphe (3), le directeur tient une audience, après en avoir avisé l'exploitant et le consignateur, pour décider de la validité de la réclamation.

(5) Si l'exploitant omet de comparaître à l'audience visée au paragraphe (4), le directeur peut décider de la validité de la réclamation en son absence.

(6) Le directeur peut réaliser la garantie de l'exploitant et, sur le produit obtenu, il doit payer la réclamation du consignateur lorsque, selon le cas :

- a) il décide que la réclamation du consignateur est fondée;
- b) l'exploitant omet de contester la réclamation du consignateur dans le délai et de la manière prévus au paragraphe (3).

(7) Si plusieurs consignateurs déposent une réclamation en conformité avec le paragraphe (1) et que le produit obtenu par la réalisation de la garantie est insuffisant pour satisfaire les réclamations fondées des consignateurs, le directeur répartit le produit de façon proportionnelle entre les consignateurs qui ont droit à un paiement conformément au présent règlement.

(8) Si le permis d'un exploitant est suspendu ou révoqué à la date à laquelle le directeur réalise la garantie déposée par l'exploitant, ou avant cette date, le directeur peut différer le paiement aux consignateurs prévu au paragraphe (6) ou (7) jusqu'à l'expiration d'une période de 90 jours suivant la date de la suspension ou de la révocation et l'auteur d'une réclamation déposée conformément au paragraphe (1) et à l'égard de laquelle le directeur reçoit un avis durant cette période est admissible au paiement sur le produit obtenu par la réalisation de la garantie.

(9) Lorsque :

- a) d'une part, l'exploitant a déposé auprès du directeur une garantie sous forme de valeurs mobilières en vertu de l'alinéa 6 (1) a), b), c) ou d);
- b) d'autre part, le directeur a réalisé la garantie en vertu du paragraphe (6),

l'exploitant dépose auprès du directeur la garantie supplémentaire nécessaire pour se conformer à l'article 6, après quoi le directeur lui remet le produit de la vente des valeurs mobilières restant après le paiement des réclamations des consignateurs aux termes du paragraphe (6) ou (7).

9. Le directeur peut, à l'égard d'une réclamation, refuser de réaliser la garantie ou d'effectuer un paiement :

- a) si le consignateur a reçu de l'exploitant un chèque ayant ensuite fait l'objet d'un refus d'acceptation ou de paiement, sauf s'il a présenté le chèque pour paiement dans les 30 jours de la date à laquelle il l'a reçu;
- b) si le consignateur omet de déposer la réclamation auprès du directeur dans le délai imparti au paragraphe 8 (1);
- c) si le consignateur a conclu avec l'exploitant un arrangement prévoyant la prorogation du délai de paiement;
- d) sauf si un tribunal a rendu un jugement portant que la réclamation était fondée.

NETTOYAGE ET DÉSINFECTION DES LOCAUX

10. (1) L'exploitant nettoie et désinfecte les locaux avant d'y recevoir du bétail aux fins d'une vente à l'encan.

(2) L'exploitant qui est titulaire d'un permis de vente à l'encan de catégorie 3 nettoie et désinfecte au moins une fois par semaine la partie des locaux où sont logés séparément les bovins destinés à la vente pour abattage.

BÉTAIL ATTEINT DE MALADIE

11. (1) L'inspecteur qui n'est pas vétérinaire peut, s'il lui semble que du bétail rassemblé pour être vendu est malade ou blessé ou présente des signes de quelque autre anomalie, ordonner que le bétail soit détenu dans les locaux où la vente est prévue jusqu'à ce qu'un inspecteur qui est vétérinaire l'examine.

(2) Si l'inspecteur ordonne que du bétail soit détenu comme le prévoit le paragraphe (1), l'exploitant :

- a) d'une part, loge ce bétail en un lieu sûr et séparément du reste du bétail mis en vente;
- b) d'autre part, garde le bétail ainsi logé séparément jusqu'à ce qu'il soit examiné par un inspecteur qui est vétérinaire.

(3) Lorsque l'inspecteur ordonne que du bétail soit détenu à des fins d'examen comme le prévoit le paragraphe (1), il prend des mesures pour qu'un inspecteur qui est vétérinaire se présente le plus tôt possible dans les locaux pour l'examiner.

(4) S'il lui semble que du bétail rassemblé pour être vendu est malade ou blessé ou présente des signes de quelque autre anomalie, l'inspecteur qui n'est pas vétérinaire peut, avec le consentement du vendeur, marquer le bétail comme étant destiné à la vente pour abattage seulement et le bétail peut être vendu sans qu'il soit inspecté par un vétérinaire.

12. (1) Lorsque l'inspecteur qui est vétérinaire examine du bétail rassemblé pour une vente à l'encan et qu'il constate que le bétail est malade ou blessé ou présente des signes de quelque autre anomalie, il peut marquer le bétail de la manière approuvée à cette fin par le directeur et enjoindre à l'exploitant de prendre, relativement au bétail, toute mesure que l'inspecteur estime nécessaire eu égard aux circonstances, notamment :

- a) remettre le bétail au consignateur;
- b) permettre, à l'occasion d'une vente à l'encan au cours de laquelle le bétail est marqué, la mise en vente de celui-ci à la personne visée au paragraphe (1.1) pour que le bétail soit abattu, dans le délai précisé par le vétérinaire dans le certificat d'inspection et dans :
 - (i) soit une usine qui se conforme à la *Loi sur l'inspection des viandes* (Ontario) et aux règlements pris en application de celle-ci,
 - (ii) soit un établissement exploité en vertu de la *Loi sur l'inspection des viandes* (Canada),
 - (iii) soit une usine exploitée sous le régime des lois d'un ressort situé aux États-Unis d'Amérique ou au Canada, mais ailleurs qu'en Ontario;
- c) permettre la mise en vente du bétail à l'occasion d'une vente à l'encan au cours de laquelle le bétail est marqué ou à l'occasion d'une vente à l'encan ultérieure, à la condition que l'exploitant ou l'encanteur annonce aux acheteurs éventuels, au moment de la mise en vente :
 - (i) d'une part, les motifs pour lesquels le bétail est marqué,
 - (ii) d'autre part, la date à laquelle la marque a été apposée.

(1.1) La personne visée à l'alinéa (1) b) est une personne qui :

- a) d'une part, est titulaire d'un permis de marchand de bétail délivré en application de la *Loi sur le bétail et les produits du bétail*;
- b) d'autre part, est exploitant d'une usine d'abattage du bétail.

(2) L'inspecteur qui marque du bétail comme le prévoit le paragraphe (1) en fournit les motifs par écrit au consignateur du bétail et à l'exploitant.

(3) Si un inspecteur qui est vétérinaire examine du bétail et constate que ce dernier est incapable de se tenir debout sans assistance ou de se déplacer sans être traîné ou porté, il doit, selon le cas :

- a) émettre un certificat de transport direct pour abattage;
- b) livrer le bétail à l'exploitant, qui s'arrange pour qu'il reçoive les soins immédiats d'un vétérinaire.

13. Malgré toute autre disposition du présent règlement, s'il soupçonne que du bétail est atteint d'une «maladie déclarable» au sens du paragraphe 2 (1) de la *Loi sur la santé des animaux* (Canada), l'inspecteur qui est vétérinaire :

- a) d'une part, enjoint à l'exploitant de maintenir le bétail isolé;
- b) d'autre part, avise immédiatement un inspecteur-vétérinaire nommé en vertu de la *Loi sur la santé des animaux* (Canada).

14. Lorsque du bétail marqué par un inspecteur est vendu à l'occasion d'une vente à l'encan, l'exploitant remet à l'acheteur, au moment de la vente, une copie des motifs donnés par l'inspecteur pour marquer le bétail.

15.

CONDITIONS DU RASSEMBLEMENT

16. Lorsque du bétail est rassemblé dans les locaux d'un exploitant, nul ne doit, selon le cas :

- a) loger des animaux qui présentent des signes de maladie ou de blessures dans la même partie de l'étable que les autres animaux se trouvant dans les locaux;
- b) déplacer des animaux malades ou blessés de manière, selon le cas :
 - (i) à les traîner sur le sol,
 - (ii) à les tirer par la tête, les cornes, le cou, les pieds ou la queue.

CONDITIONS DE MISE EN VENTE

17. (1) Sauf disposition contraire, l'exploitant ne doit pas mettre en vente à l'occasion d'une vente à l'encan du bétail atteint de maladie.

(2) Lorsque du bétail est mis en vente au poids :

- a) il est, immédiatement avant la mise en vente, pesé sur les balances installées conformément à l'alinéa 12 f) de la Loi;
- b) le poids est indiqué, notamment par annonce, aux enchérisseurs éventuels présents sur les lieux au moment de la mise en vente;
- c) une transaction est conclue selon le poids annoncé conformément à l'alinéa b).

DÉTENTION D'ANIMAUX NON AMBULATOIRES TROUVÉS DANS DES VÉHICULES

17.1 (1) Un inspecteur détient tout animal qui, étant incapable de se tenir debout sans assistance ou de se déplacer sans être traîné ou porté, est trouvé dans un véhicule situé dans les locaux d'un exploitant.

(2) Nul ne doit déplacer un véhicule si un animal y a été détenu en application du paragraphe (1), sauf si un vétérinaire, selon le cas :

- a) émet un certificat de transport direct pour abattage;
- b) livre le bétail au conducteur du véhicule, qui s'arrange pour qu'il reçoive les soins immédiats d'un vétérinaire.

FONCTIONS DE L'EXPLOITANT

18. L'exploitant fournit au consignateur qui le lui demande ou à la personne agissant pour son compte un reçu indiquant la catégorie de bétail et le nombre de têtes livrées par le consignateur pour la vente à l'encan.

FORMULE 1

26/06

ONTARIO REGULATION 289/06

made under the

LIVESTOCK, POULTRY AND HONEY BEE PROTECTION ACT

Made: June 7, 2006

Filed: June 13, 2006

Published on e-Laws: June 15, 2006

Printed in *The Ontario Gazette*: July 1, 2006

Amending Reg. 731 of R.R.O. 1990

(Application for Payment of a Grant)

Note: Regulation 731 has not previously been amended.

1. Regulation 731 of the Revised Regulations of Ontario, 1990 is amended by adding the following French version:

DEMANDE DE SUBVENTION

1. Lorsqu'une municipalité verse une indemnité pour un dommage causé par les loups et évalué conformément à l'article 4 de la Loi, elle peut présenter au commissaire une demande de subvention à cet égard rédigée selon la formule 1.

INDEMNITÉ MAXIMALE

2. (1) Les montants suivants sont prescrits comme montants maximaux pour l'application du paragraphe 4 (14) de la Loi :

- 1. 1 000 \$ pour une tête de bovin.
- 2. 100 \$ pour un animal à fourrure.
- 3. 200 \$ pour une chèvre.
- 4. 500 \$ pour un cheval.
- 5. 1 000 \$ versés à un même propriétaire dans une année, pour la volaille blessée ou tuée.
- 6. 20 \$ pour un lapin et 1 000 \$ pour tous les lapins blessés ou tués, versés à un même propriétaire dans une année.
- 7. 200 \$ pour un mouton.
- 8. 200 \$ pour un porc.

(2) Les montants suivants sont prescrits comme montants maximaux pour l'application du paragraphe 17 (3) de la Loi :

- 1. 35 \$ pour les abeilles.
- 2. 75 \$ pour les accessoires apicoles.

FORMULE 1
DEMANDE DE SUBVENTION

Loi sur la protection du bétail, de la volaille et des abeilles

Demande présentée par
(Nom de la municipalité)

au commissaire au bétail en vue d'obtenir une subvention
à titre de remboursement des sommes versées par la
municipalité, de la façon suivante, pour les réclamations
visant des dommages causés par les loups :

1. i. Nom du propriétaire de bétail ou de volaille

.....
.....

ii. Adresse du propriétaire

Lot Concession Canton

iii. Bétail blessé —

— genre blessé

— n^{bre} de têtes et estimation du poids vif de
chaque tête

.....
.....

— indemnité versée \$

iv. Volaille blessée —

— genre blessé

— n^{bre} de livres

— indemnité versée \$

v. Bétail tué —

— genre tué

— n^{bre} de têtes et estimation du poids vif de
chaque tête

.....
.....

— indemnité versée \$

vi. Volaille tuée —

— genre tué

— n^{bre} de livres

— indemnité versée \$

vii. Date du versement de l'indemnité

2. i. Nom du propriétaire de bétail ou de volaille

-

 ii. Adresse du propriétaire
 Lot Concession Canton
- iii. Bétail blessé —
 — genre blessé.....
 — n^{bre} de têtes.....
 — indemnité versée \$
- iv. Volaille blessée —
 — genre blessé.....
 — n^{bre} de livres
 — indemnité versée \$
- v. Bétail tué —
 — genre tué.....
 — n^{bre} de têtes
 — indemnité versée \$
- vi. Volaille tuée —
 — genre tué.....
 — n^{bre} de livres
 — indemnité versée \$
- vii. Date du versement de l'indemnité

Est jointe à la présente demande une copie du rapport d'évaluation relatif à chaque réclamation. Le cas échéant, préciser les éléments de preuve démontrant que le dommage a été causé par les loups (autres que ceux qui figurent dans le rapport de l'évaluateur) :

.....

Fait à..... le 20....

.....
 (secrétaire de la municipalité)

ONTARIO REGULATION 290/06
made under the
ONTARIO AGRICULTURAL MUSEUM ACT

Made: June 7, 2006
Filed: June 13, 2006
Published on e-Laws: June 15, 2006
Printed in *The Ontario Gazette*: July 1, 2006

Amending Reg. 866 of R.R.O. 1990
(Fees)

Note: Regulation 866 has not previously been amended.

1. Regulation 866 of the Revised Regulations of Ontario, 1990 is amended by adding the following French version:

DROITS

1. Les définitions qui suivent s'appliquent au présent règlement.

«adulte» Personne âgée d'au moins 18 ans. («adult»)

«enfant» Personne âgée de plus de cinq ans et de moins de 13 ans. («child»)

«étudiant» S'entend :

a) soit d'une personne âgée d'au moins 13 ans, mais de moins de 18 ans;

b) soit d'une personne âgée d'au moins 18 ans qui fréquente à temps plein un établissement d'enseignement au Canada et qui est munie d'une carte d'identité étudiante pour l'année scolaire en cours. («student»)

«famille» Le père ou la mère ou l'un et l'autre, ainsi qu'au moins une de leurs filles ou un de leurs fils de moins de 18 ans. («family»)

«personne âgée» Personne âgée d'au moins 65 ans. («senior citizen»)

2. Les droits d'entrée au Musée sont les suivants :

a) 2,50 \$ pour les adultes;

b) 1 \$ pour les enfants;

c) 1,25 \$ pour les personnes âgées munies d'une attestation de leur âge;

d) 1,50 \$ pour les étudiants;

e) 6 \$ pour les familles;

f) pour les membres de groupes organisés :

(i) 2 \$ pour les adultes,

(ii) 1,50 \$ pour les étudiants des écoles secondaires,

(iii) 1 \$ pour les étudiants des écoles élémentaires.

26/06

ONTARIO REGULATION 291/06

made under the

ONTARIO AGRICULTURAL MUSEUM ACT

Made: June 7, 2006

Filed: June 13, 2006

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Printed in *The Ontario Gazette*: July 1, 2006Amending Reg. 867 of R.R.O. 1990
(General)

Note: Regulation 867 has not previously been amended.

1. Regulation 867 of the Revised Regulations of Ontario, 1990 is amended by adding the following French version:**DISPOSITIONS GÉNÉRALES****DÉFINITIONS**

1. Les définitions qui suivent s'appliquent au présent règlement.

«directeur général» Le directeur général de la Division de l'éducation et de la recherche du ministère de l'Agriculture et de l'Alimentation. («executive director»)

«lieux du Musée» S'entend notamment des terrains, des bâtiments et des installations dont le Musée est propriétaire ou dont il assure le fonctionnement. («Museum premises»)

PROCÉDURE

2. Le Conseil tient de trois à six réunions par année que convoque le président en consultation avec le responsable de la direction.

3. Est constitué un bureau du Conseil formé du président, du vice-président, du secrétaire et d'un autre membre élu par le Conseil.

4. Le bureau tient les réunions que convoque le président en consultation avec le responsable de la direction.

5. Le secrétaire du Conseil envoie un avis de convocation aux réunions ainsi que l'ordre du jour aux personnes visées. Il dresse un procès-verbal des réunions.

6. Le responsable de la direction ou le directeur général peut convoquer des réunions extraordinaires du Conseil en plus des réunions visées à l'article 2.

UTILISATION DES LIEUX DU MUSÉE

7. Aucune personne et aucun organisme ne peut jouir exclusivement de l'accès aux lieux du Musée ou de leur utilisation au détriment d'autres personnes ou organismes.

8. Aucune personne et aucun organisme ne peut utiliser les lieux du Musée à des fins autres que celles qu'autorise l'entrée générale, sans avoir au préalable présenté une demande écrite à cet effet au responsable de la direction et obtenu son autorisation.

9. Nul ne doit fumer ni commettre de nuisance à l'intérieur ou à proximité des bâtiments du Musée, ni à proximité du matériel ou des expositions.

10. Nul ne doit, sur les lieux du Musée :

- a) détériorer, enlever ou endommager des biens;
- b) enlever, endommager ou détruire des arbres, arbrisseaux, plantes, fleurs ou d'autres végétaux, ou le sol, des roches ou d'autres matières;
- c) tuer, piéger, chasser ou poursuivre des oiseaux ou des animaux domestiques ou sauvages, ou les gêner ou faire en sorte qu'on les gêne;
- d) jeter des débris ou d'autres objets ou matériaux, sauf dans les contenants ou les fosses prévus à cette fin.

11. Nul ne doit apporter ni permettre que soit apporté un animal de compagnie à l'intérieur des bâtiments du Musée.

12. Les propriétaires de chiens ou d'autres animaux de compagnie doivent les tenir en tout temps au moyen d'une laisse d'au plus six pieds quand ils sont sur les lieux du Musée. Ils doivent les empêcher d'approcher à moins de 100 verges de tout endroit où est gardé du bétail ou de la volaille.

13. (1) Sauf avec l'autorisation écrite du responsable de la direction, nul ne doit, sur les lieux du Musée :

- a) être en possession d'une arme à feu ou la décharger, ni être en possession de feux d'artifice, notamment de fusées, en faire brûler ou en tirer;
- b) poser, afficher, coller, attacher, peindre ou apposer des écriteaux, des placards, des avis ou des affiches;
- c) demeurer après les heures de bureau normales;
- d) vendre des articles ou des services, ou les mettre en vente;
- e) exploiter une entreprise commerciale ou en faire l'annonce;
- f) mendier ou demander la charité;
- g) présenter des spectacles ou apporter de l'équipement à cette fin;
- h) tenir des réunions publiques ou autres manifestations qui ont pour effet ou sont susceptibles de rassembler des personnes;
- i) allumer ou entretenir des feux à des endroits non prévus à cette fin;
- j) conduire un véhicule, sauf sur une chaussée ou un autre endroit prévu à cette fin;
- k) conduire un véhicule à plus de 15 milles à l'heure;
- l) garer un véhicule à un endroit non prévu à cette fin;
- m) conduire une motoneige, une luge motorisée ou un autre véhicule automoteur;
- n) piloter ou faire atterrir un aéronef.

(2) Nul ne doit camper ni passer la nuit sur les lieux du Musée.

26/06

ONTARIO REGULATION 292/06

made under the

TILE DRAINAGE ACT

Made: June 7, 2006

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Printed in *The Ontario Gazette*: July 1, 2006

Amending Reg. 1032 of R.R.O. 1990

(Borrowing By-laws, Debentures and Loans)

Note: Regulation 1032 has not previously been amended.

1. Regulation 1032 of the Revised Regulations of Ontario, 1990 is amended by adding the following French version:

RÈGLEMENTS MUNICIPAUX D'EMPRUNT, DÉBENTURES ET PRÊTS

1. (1) Le règlement municipal d'emprunt visé au paragraphe 2 (1) de la Loi, à l'usage des municipalités qui ne sont pas situées dans une municipalité de district ou une municipalité régionale, est rédigé selon la formule 1.

(2) Le règlement municipal d'emprunt visé au paragraphe 2 (1) de la Loi, à l'usage des municipalités situées dans une municipalité de district ou une municipalité régionale, est rédigé selon la formule 2.

2. Le règlement municipal d'emprunt, à l'usage des municipalités de district ou des municipalités régionales pour le compte d'une municipalité de secteur, est rédigé selon la formule 3.

3. (1) Les débentures visées au paragraphe 2 (1) de la Loi, à l'usage des municipalités qui ne sont pas situées dans une municipalité de district ou une municipalité régionale, sont rédigées selon la formule 4.

(2) Les débentures visées au paragraphe 2 (1) de la Loi, à l'usage des municipalités de district ou des municipalités régionales pour le compte d'une municipalité de secteur, sont rédigées selon la formule 5.

4. L'affidavit du secrétaire de la municipalité visé au paragraphe 2 (5) de la Loi est rédigé selon la formule 6.

5. La demande de prêt visée à l'article 3 de la Loi est rédigée selon la formule 7.

6. Le certificat d'achèvement et d'inspection visé à l'article 4 de la Loi est rédigé selon la formule 8.

7. (1) La mise en vente d'une débenture visée au paragraphe 5 (8) de la Loi, à l'usage d'une municipalité, est faite selon la formule 9.

(2) La mise en vente d'une débenture visée au paragraphe 5 (8) de la Loi, à l'usage d'une municipalité de district ou d'une municipalité régionale, est faite selon la formule 10.

8. Le règlement municipal d'imposition visé à l'article 8 de la Loi est rédigé selon la formule 11.

LA MUNICIPALITÉ DE

RÈGLEMENT MUNICIPAL N°

ANNEXE

| Nom et adresse du propriétaire | Description du terrain drainé | Date prévue du prêt | Montant du prêt \$ | Impôt annuel fixé \$ |
|---|-------------------------------|---------------------|--------------------|----------------------|
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| *Montant total en capital de la débenture et somme totale figurant au règlement municipal | | | | \$ |
| | | | *Total | |

FORMULE 1
RÈGLEMENT MUNICIPAL D'EMPRUNT — À L'USAGE DES MUNICIPALITÉS
NON SITUÉES DANS UNE MUNICIPALITÉ DE DISTRICT OU UNE
MUNICIPALITÉ RÉGIONALE

Loi sur le drainage au moyen de tuyaux

Règlement municipal d'emprunt
de
la municipalité de

.....

Règlement municipal numéro :

Règlement municipal adopté en application de la *Loi sur le drainage au moyen de tuyaux* en vue de recueillir des fonds pour aider à l'exécution de travaux de drainage.

En application de la *Loi sur le drainage au moyen de tuyaux*, le conseil édicte ce qui suit :

1. La municipalité peut, sous réserve du présent règlement municipal, emprunter sur son crédit des sommes ne dépassant pas \$ en tout, selon ce que fixe le conseil. Elle peut, de la façon suivante, émettre des débentures de la municipalité au montant emprunté conformément à la Loi, payables au ministre des Finances, au ministère du Trésor et de l'Économie à Toronto. Les débentures réservent à la municipalité le droit de rembourser par anticipation la totalité ou une partie du capital et des intérêts échus au moment de ce remboursement.

2. Si le conseil approuve une demande de prêt présentée en vertu de la Loi et que l'inspecteur de drainage a déposé auprès du secrétaire un certificat d'achèvement et d'inspection, le conseil peut inclure une somme, qui ne dépasse pas le montant demandé ni 75 pour cent du coût total des travaux de drainage à l'égard desquels le prêt est consenti, dans une débenture payable au ministre des Finances conformément à la Loi et peut approuver le prêt de cette somme par la municipalité à l'auteur de la demande.

3. Outre tous les autres impôts prévus, est fixé, prélevé et perçu sur le terrain pour lequel le prêt est consenti un impôt extraordinaire annuel dont le montant est suffisant pour rembourser le capital et les intérêts conformément à la Loi.

Adopté le 20.....

.....
Président du conseil

.....
Secrétaire

(Sceau de la municipalité)

FORMULE 2
RÈGLEMENT MUNICIPAL D'EMPRUNT — À L'USAGE DES MUNICIPALITÉS
SITUÉES DANS UNE MUNICIPALITÉ DE DISTRICT OU UNE MUNICIPALITÉ
RÉGIONALE

Loi sur le drainage au moyen de tuyaux

Règlement municipal d'emprunt
de
la municipalité de

.....

Règlement municipal numéro :

Règlement municipal adopté en application de la *Loi sur le drainage au moyen de tuyaux* en vue de recueillir des fonds pour aider à l'exécution de travaux de drainage.

En application de la *Loi sur le drainage au moyen de tuyaux*, le conseil édicte ce qui suit :

1. La municipalité peut, sous réserve du présent règlement municipal, emprunter sur son crédit des sommes ne dépassant pas \$ en tout, selon ce que fixe le conseil. Elle peut, de la façon suivante, prévoir l'émission de débentures pour le compte de la municipalité au montant emprunté conformément à la Loi, payables au ministre des Finances, au ministère du Trésor et de l'Économie à Toronto. Les débentures réservent à la municipalité le droit de rembourser par anticipation la totalité ou une partie du capital et des intérêts échus au moment de ce remboursement.

2. Si le conseil approuve une demande de prêt présentée en vertu de la Loi et que l'inspecteur de drainage a déposé auprès du secrétaire un certificat d'achèvement et d'inspection, le conseil peut demander à d'inclure une somme, qui ne dépasse pas le montant demandé ni 75 pour cent du coût total des travaux de drainage à l'égard desquels le prêt est consenti, dans une débenture payable au ministre des Finances conformément à la Loi et peut approuver le prêt de cette somme par la municipalité à l'auteur de la demande.

3. Outre tous les autres impôts prévus, est fixé, prélevé et perçu sur le terrain pour lequel le prêt est consenti un impôt extraordinaire annuel dont le montant est suffisant pour rembourser le capital et les intérêts conformément à la Loi.

Adopté le 20.....

.....
Président du conseil

.....
Secrétaire

(Sceau de la municipalité)

FORMULE 3
RÈGLEMENT MUNICIPAL D'EMPRUNT — À L'USAGE DES MUNICIPALITÉS
DE DISTRICT OU DES MUNICIPALITÉS RÉGIONALES

Loi sur le drainage au moyen de tuyaux

Règlement municipal d'emprunt
de
la municipalité de

.....

Règlement municipal numéro :

Règlement municipal adopté en application de la *Loi sur le drainage au moyen de tuyaux* en vue de recueillir des fonds pour aider à

l'exécution de travaux de drainage dans la municipalité de
(de district ou régionale)

En application de la *Loi sur le drainage au moyen de tuyaux*, le conseil de la municipalité
(de district ou régionale)

de (ci-après appelée «municipalité régionale»), édicte ce qui suit :

1. La municipalité régionale peut, sous réserve du présent règlement municipal, emprunter sur son crédit des sommes ne dépassant pas \$ en tout pour le compte des municipalités de secteur indiquées à l'annexe. Elle peut, de la façon suivante, émettre des débentures de la municipalité au montant emprunté conformément à la Loi, payables au ministre des Finances, au ministère du Trésor et de l'Économie à Toronto. Les débentures réservent à la municipalité le droit de rembourser par anticipation la totalité ou une partie du capital et des intérêts échus au moment de ce remboursement.

2. Lorsque la municipalité régionale reçoit d'une ou de plusieurs municipalités de secteur une demande d'émission d'une débenture aux montants ne dépassant pas ceux indiqués à l'annexe pour l'application de la Loi, elle émet une débenture aux montants totaux demandés, signée par le président du conseil et le trésorier, et emprunte pour le compte de chaque municipalité de secteur une somme ne dépassant pas le montant que chacune prêtera une fois achevés les travaux de drainage.

3. À l'égard de chaque municipalité de secteur, la municipalité régionale fixe et prélève par règlement municipal et au plus tard 30 jours après l'émission de la débenture, outre tous les autres impôts prévus, un impôt extraordinaire annuel dont le montant est suffisant pour rembourser le capital et les intérêts des débentures que la municipalité régionale a émises pour le compte de cette municipalité de secteur.

Adopté le 20.....

.....
Président du conseil

.....
Secrétaire

(Sceau de la municipalité)

ANNEXE

| Municipalité | Montant |
|--------------|---------|
| | |
| | |
| | |
| Total | |

FORMULE 4 **DÉBENTURE RELATIVE AU DRAINAGE AU MOYEN DE TUYAUX**

Loi sur le drainage au moyen de tuyaux

..... \$

N°

La municipalité de de
 dans le comté de promet par la présente de rembourser au ministre des Finances, au ministre du Trésor et de
 l'Économie à Toronto, la somme en capital de \$, en devises canadiennes, et les intérêts sur cette somme au taux annuel de
 pour cent en 10 versements échelonnés de montants égaux de \$ le jour du mois
 de , des années 20..... à 20..... inclusivement.

La municipalité de se réserve le droit de rembourser la présente débenture par anticipation, en totalité ou
 en partie, au moment du paiement, à l'endroit où la débenture doit être remboursée et dans la devise dans laquelle elle doit l'être, de la
 totalité ou d'une partie du capital et des intérêts échus au moment de ce remboursement.

Ni la présente débenture ni les intérêts sur celle-ci ne sont transférables après que le trésorier de la municipalité, ou une autre personne
 autorisée à le faire en vertu d'un règlement municipal de la municipalité, y a inscrit un certificat de propriété.

Fait à/au de , dans la province de l'Ontario, le 1^{er} 20....., en vertu
 du règlement municipal n° de la municipalité intitulé «A By-Law to raise money to aid in the construction of drainage works under
 the *Tile Drainage Act*».

.....
 Trésorier

.....
 Président du conseil

(Sceau de la municipalité)

FORMULE 5
DÉBENTURE RELATIVE AU DRAINAGE AU MOYEN DE TUYAUX — À
L'USAGE DES MUNICIPALITÉS DE DISTRICT OU DES MUNICIPALITÉS
RÉGIONALES

Loi sur le drainage au moyen de tuyaux

Débenture relative au drainage au moyen de tuyaux

..... \$

N°

La municipalité de promet par la présente de rembourser au ministre des Finances, au ministère du Trésor et de l'Économie à Toronto, la somme en capital de \$, en devises canadiennes, et les intérêts sur cette somme au taux annuel de pour cent en 10 versements échelonnés de montants égaux de \$ le jour du mois de, des années 20..... à 20..... inclusivement.

La municipalité de se réserve le droit de rembourser la présente débenture par anticipation, en totalité ou en partie, au moment du paiement, à l'endroit où la débenture doit être remboursée et dans la devise dans laquelle elle doit l'être, de la totalité ou d'une partie du capital et des intérêts échus au moment de ce remboursement.

Ni la présente débenture ni les intérêts sur celle-ci ne sont transférables après que le trésorier de la municipalité, ou une autre personne autorisée à le faire en vertu d'un règlement municipal de la municipalité, y a inscrit un certificat de propriété.

Fait à/au de, dans la province de l'Ontario, le 1^{er} 20....., en vertu du règlement municipal n° de la municipalité intitulé «A By-Law to raise money to aid in the construction of drainage works under the *Tile Drainage Act*».

.....
Trésorier

.....
Président du conseil

(Sceau de la municipalité)

FORMULE 6 AFFIDAVIT DU SECRÉTAIRE

Loi sur le drainage au moyen de tuyaux

Je soussigné(e),, du/dede.....

dans le/lade, secrétaire de la de, déclare sous serment (ou affirme solennellement) ce qui suit :

1. Le 20....., le conseil de la..... de a adopté un règlement municipal pour emprunter des sommes d'argent en vue de les prêter pour l'exécution de travaux de drainage, lequel porte le numéro et est intitulé «A By-Law to raise money to aid in the construction of drainage works under the *Tile Drainage Act*». Une copie de ce règlement municipal, certifiée conforme par le/la soussigné(e), est jointe au présent affidavit comme pièce A.

2. Une copie certifiée conforme du règlement municipal n° a été enregistrée au bureau d'enregistrement immobilier de la division d'enregistrement des actes (droits immobiliers) dele 20.....

3. *Aucune requête ni action visant à faire annuler le règlement municipal n'a été présentée ni intentée.

ou

*Une requête ou une action visant à faire annuler le règlement municipal a été présentée ou intentée, mais a été rejetée. Le certificat de rejet a été enregistré au bureau d'enregistrement immobilier ci-dessus le

..... 20.....

*REMARQUE : Rayer les mentions inutiles.

Déclaré sous serment (ou affirmé solennellement) devant moi

à/au de

dans le/la de

le 20.....

.....
Commissaire, etc.

.....
Secrétaire

FORMULE 7
DEMANDE DE PRÊT

Loi sur le drainage au moyen de tuyaux

Destinataire : le conseil de la de

RENSEIGNEMENTS SUR LE DROIT DE PROPRIÉTÉ

| |
|---------------------|
| Nom du propriétaire |
| Adresse |

DESCRIPTION DU TERRAIN DEVANT ÊTRE DRAINÉ

| | |
|---|----------------------|
| Numéro du lot | Numéro de concession |
| Préciser la partie de lot, le cas échéant | |

DESCRIPTION DU SYSTÈME DE DRAINAGE

| |
|--|
| Nombre d'hectares à drainer |
| Nombre approximatif de mètres de matériaux |

COÛT ESTIMATIF DU SYSTÈME DE DRAINAGE :

**MONTANT DU PRÊT
DEMANDÉ**

Matériaux

| |
|----|
| \$ |
|----|

Autre

| |
|----|
| \$ |
|----|

Frais d'inspection

| |
|----|
| \$ |
|----|

COÛT TOTAL

| |
|----|
| \$ |
|----|

(Le montant du prêt
demandé doit être
un multiple de 100 \$,
jusqu'à concurrence
de 75% du coût total)

| |
|----|
| \$ |
|----|

| | |
|-----------------------------|--------------------------|
| Date de commencement prévue | Date d'achèvement prévue |
|-----------------------------|--------------------------|

En remplissant la présente demande de prêt, je conviens de ce qui suit :

- a) l'approbation ou le rejet de la demande est laissé à la discrétion du conseil, dont la décision est définitive;
- b) je serai avisé(e) par écrit de la décision du conseil relativement à ma demande;
- c) si la demande est approuvée, un inspecteur de drainage nommé par le conseil lui présentera un rapport portant que les travaux ont été achevés de façon satisfaisante avant qu'une somme ne soit versée sous forme de prêt;
- d) le prêt est également assujéti à la condition que tous les travaux aient été exécutés conformément à la *Loi sur les installations de drainage agricole*;
- e) outre tous les autres impôts prévus, le conseil prélèvera et percevra, pour une période de 10 ans, un impôt extraordinaire annuel d'un montant égal suffisant pour acquitter le capital et les intérêts de la somme prêtée sur le terrain pour lequel le prêt est consenti.
- f) la *Loi sur le drainage au moyen de tuyaux* énonce des questions de procédure relativement à la répartition d'un prêt lorsqu'une partie du terrain est vendue à la quittance de dette sur remboursement du prêt en tout temps et à toute autre question se rapportant à la présente demande de prêt.

.....
(date)

.....
(signature du propriétaire)

FORMULE 8 CERTIFICAT D'ACHÈVEMENT ET D'INSPECTION

Loi sur le drainage au moyen de tuyaux

Destinataire : le conseil de la de dans le/la de

J'ai inspecté les travaux de drainage exécutés sur le terrain dont la description est la suivante : lot n°, concession n°, qui est la propriété de et pour lequel une demande de prêt a été présentée le 20.....

Je certifie les constatations suivantes relativement aux travaux de drainage :

- ☐ Les travaux de drainage sont conformes à la description figurant dans la demande de prêt et sont achevés.
- ☐ Les travaux de drainage sont achevés, mais comportent des différences importantes par rapport à la description figurant dans la demande de prêt sur les aspects suivants :
.....
- ☐ Les travaux de drainage sont achevés, mais présentent les vices suivants :
.....

La surface réellement drainée est de hectares (approximativement).

Les travaux de drainage constituent

☐ une amélioration par rapport au système existant

OU

☐ un système entièrement nouveau

L'installation est

☐ systématique

OU

☐ faite au hasard

Les coûts réels des travaux de drainage sont les suivants :

Matériaux

| Type | Dimension | Longueur | Coût |
|---|-----------|----------|-------|
| (béton, argile, plastique, etc.) | | | |

Frais d'installation :

Divers (préciser) :

Frais d'inspection :

Coût total :

Montant du prêt :

Nom de l'entrepreneur :

Adresse de l'entrepreneur :

N° de permis de l'entrepreneur qui mettra en place les installations de drainage en vertu de la *Loi sur les installations de drainage agricole* :
.....

N° de permis de la machine délivré en vertu de la *Loi sur les installations de drainage agricole* :

Marque de la machine :

Signature du propriétaire du terrain :
(s'il a procédé lui-même à l'installation avec sa propre machine).

Fait à

le 20.....

.....
(Signature de
l'inspecteur de drainage)

FORMULE 9 MISE EN VENTE

Loi sur le drainage au moyen de tuyaux

La municipalité de de offre, par la présente, de vendre la débenture n° au
montant en capital de \$ au ministre des Finances, tel que l'autorise le règlement municipal d'emprunt n° de la municipalité.

Le montant en capital de la débenture représente le total des prêts individuels demandés. Le montant de chacun de ceux-ci ne dépasse pas 75 pour cent du coût des travaux de drainage exécutés.

Un inspecteur de drainage, employé par la municipalité, a inspecté les travaux de drainage pour lesquels la municipalité prêterait le produit de la débenture. Chacun d'eux a été achevé conformément aux conditions de l'approbation de prêt donnée par le conseil.

Une copie du certificat d'achèvement et d'inspection (formule 8 des règlements pris en application de la *Loi sur le drainage au moyen de tuyaux*) de chacun des travaux de drainage pour lesquels la municipalité prêterait le produit de la débenture est jointe à la présente.

.....
Date

.....
Trésorier

(Sceau de la municipalité)

FORMULE 10 MISE EN VENTE

Loi sur le drainage au moyen de tuyaux

À l'usage des municipalités de district
ou des municipalités régionales

La municipalité de de offre, par la présente, de vendre la débenture n° au
montant en capital de \$ au ministre des Finances, tel que l'autorise le règlement municipal d'emprunt n°
de la municipalité régionale ou de la municipalité de district.

Le montant en capital de la débenture représente le total des prêts individuels demandés aux conseils des municipalités mentionnées ci-dessous. Le montant de chacun de ceux-ci ne dépasse pas 75 pour cent du coût des travaux de drainage exécutés.

Un inspecteur de drainage, employé par les municipalités mentionnées ci-dessous, a inspecté chacun des travaux de drainage pour lesquels le produit de la débenture sera prêté. Chacun d'eux a été achevé conformément aux conditions de l'approbation de prêt donnée.

Une copie du certificat d'achèvement et d'inspection (formule 8 des règlements pris en application de la *Loi sur le drainage au moyen de tuyaux*) de chacun des travaux de drainage pour lesquels la municipalité prêterait le produit de la débenture est jointe à la présente.

MUNICIPALITÉ

MONTANT

.....
.....
.....
.....

.....
.....
.....
.....

Date

Trésorier

(Sceau de la municipalité)

FORMULE 11 RÈGLEMENT MUNICIPAL D'IMPOSITION

Loi sur le drainage au moyen de tuyaux

La municipalité de

.....

Règlement municipal numéro :

Règlement municipal adopté en application de la *Loi sur le drainage au moyen de tuyaux* fixant un impôt extraordinaire annuel pour le drainage sur le terrain à l'égard duquel des sommes d'argent sont empruntées.

Attendu que des propriétaires de terrains de la municipalité ont demandé des prêts au conseil en vertu de la *Loi sur le drainage au moyen de tuyaux* pour y exécuter des travaux de drainage souterrains et attendu que le conseil a, à la suite de leur demande, prêté aux propriétaires la somme totale de \$, laquelle doit être remboursée, avec les intérêts, au moyen de l'impôt fixé ci-dessous :

Par conséquent, le conseil édicte que l'impôt annuel prévu à l'annexe ci-jointe est fixé par la présente sur les terrains décrits pour une période de 10 ans, celui-ci devant être prélevé et perçu comme s'il s'agissait d'un autre impôt.

Adopté le 20.....

.....
Président du conseil

.....
Secrétaire

(Sceau de la municipalité)

ONTARIO REGULATION 293/06

made under the

ANIMALS FOR RESEARCH ACT

Made: June 7, 2006

Filed: June 13, 2006

Published on e-Laws: June 15, 2006

Printed in *The Ontario Gazette*: July 1, 2006

Amending Reg. 22 of R.R.O. 1990
(General)

Note: Regulation 22 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-laws.gov.on.ca.

1. Regulation 22 of the Revised Regulations of Ontario, 1990 is amended by adding the following French version:

DISPOSITIONS GÉNÉRALES

1. (1)

(2)

(3) Les droits à acquitter pour un permis d'exploitant d'animalerie sont de 100 \$.

(4) Le permis expire le 31 décembre de l'année de sa délivrance.

(5) Sont énumérés sur le permis les types ou espèces d'animaux élevés par le titulaire du permis.

(6) Sur demande du titulaire du permis, le directeur inscrit sur celui-ci, sans droits supplémentaires, des types ou des espèces d'animaux supplémentaires.

(7) Le titulaire du permis ne doit pas vendre ni mettre en vente des animaux destinés à un service de recherche s'ils ne sont pas d'un type ou d'une espèce indiqués sur le permis.

(8) Le permis est incessible.

2. (1)

(2)

(3) Les droits d'enregistrement d'un service de recherche sont de :

a) 200 \$ pour un service de recherche;

b) 100 \$ par service de recherche supplémentaire sur lequel un même exploitant exerce un pouvoir de contrôle.

(4) Sous réserve du paragraphe 4 (2) de la Loi, le directeur peut enregistrer un service de recherche qui n'est pas conforme à toutes les exigences des règlements à la condition que celui-ci s'y conforme avant la date fixée par le directeur dans l'enregistrement et tout certificat d'enregistrement.

(5) L'enregistrement d'un service de recherche est assujéti aux conditions suivantes :

1. L'enregistrement expire le 31 décembre de l'année de l'enregistrement.

2. L'exploitant d'un service de recherche enregistré ne doit pas acquérir, notamment par achat, du titulaire d'un permis d'exploitant d'animalerie, un animal destiné à un service de recherche, si l'animal n'est pas d'un type ou d'une espèce indiqués sur le permis.

3. Nul ne doit construire, acquérir ou reconstruire des locaux destinés à un service de recherche, à une animalerie ou à une fourrière sans :

a) d'une part, aviser le directeur de ses intentions;

b) d'autre part, fournir au directeur une copie des plans et devis des locaux devant être utilisés, construits ou reconstruits.

4. (1) Avant le 1^{er} mars de chaque année, l'exploitant d'un service de recherche présente au directeur le rapport annuel de l'année civile précédente. Le rapport indique :

a) le nombre total d'espèces d'animaux, utilisés pendant l'année dans le cadre de travaux de recherche dans son service de recherche;

b) le nombre total tant de chiens que de chats acquis, notamment par achat :

- (i) d'autres services de recherche,
- (ii) de fourrières,
- (iii) d'animaleries,
- (iv) d'autres sources;

c) le nombre total tant de chiens que de chats qui ne se sont pas rétablis de l'anesthésie faite en vue d'une expérience ou d'une intervention chirurgicale.

(2) L'exploitant d'un service de recherche présente au directeur un rapport indiquant :

- a) d'une part, le nom des membres du comité des soins aux animaux, sans délai après la mise sur pied du comité;
- b) d'autre part, les détails de tout changement touchant la composition du comité des soins aux animaux, y compris le nom des nouveaux membres, le cas échéant, sans délai après le changement.

5. (1) Le prix maximal que les exploitants de service de recherche paient pour des chiens ou des chats en vertu de l'alinéa 20 (6) c) de la Loi est de 6 \$ par chien et de 2 \$ par chat.

(2) Pour l'application du paragraphe 20 (9) de la Loi, l'exploitant d'une fourrière peut exiger, de l'exploitant d'un service de recherche, un maximum de 2 \$ par jour ou par fraction de journée pour chaque chien et de 1 \$ par jour ou par fraction de journée pour chaque chat, vendu à celui-ci, pour couvrir le coût des soins, de la nourriture et de l'hébergement du chien ou du chat, mais seulement à l'égard de la période commençant le lendemain du jour où l'exploitant du service de recherche est avisé que le chien ou le chat est à vendre et se terminant le jour où le chien ou le chat quitte la fourrière.

6. La personne qui fait fonctionner une école élémentaire ou secondaire dotée d'un service de recherche est, relativement au service de recherche, soustraite à l'application du paragraphe 4 (1) et de l'article 14 de la Loi, ainsi que de l'article 4 du Règlement 24 des Règlements refondus de l'Ontario de 1990, sous réserve des conditions suivantes :

- 1. Le service de recherche est maintenu dans un état de salubrité constant et est exempt, dans la mesure du possible, d'insectes et de vermine.
- 2. Le directeur a approuvé les normes relatives à la santé, au bien-être et aux soins des animaux, ainsi que les bâtiments, les installations et l'équipement fournis par la personne qui a vendu les animaux.

7. L'exploitant qui met sur pied un service de recherche qu'il utilise à ce titre pendant une période maximale de 30 jours par année est, relativement aux locaux, soustrait à l'application du paragraphe 4 (1) de la Loi et de l'article 4 du Règlement 24 des Règlements refondus de l'Ontario de 1990, à la condition que le service de recherche soit maintenu dans un état de salubrité constant et soit exempt, dans la mesure du possible, d'insectes et de vermine.

8. La personne attachée à un service de recherche, qui effectue pour celui-ci, dans des locaux dont l'exploitant du service de recherche n'est ni le propriétaire ni l'occupant, des travaux de recherche relevant de la compétence d'un comité des soins aux animaux mis sur pied à cette fin, est, relativement à ces locaux, soustraite à l'application du paragraphe 4 (1) de la Loi et de l'article 4 du Règlement 24 des Règlements refondus de l'Ontario de 1990, sous réserve des conditions suivantes :

- 1. Le service de recherche est maintenu dans un état de salubrité constant et est exempt, dans la mesure du possible, d'insectes et de vermine.
- 2. Le comité des soins aux animaux informe le directeur par écrit, avant le début des travaux de recherche, du nom de la personne qui les effectuera et de l'adresse du lieu où elle les effectuera.

9. La personne exploitant un service de recherche dans des locaux dont une autre personne est propriétaire et que ce service relève de la compétence d'un comité des soins aux animaux, uniquement à des fins d'essais cliniques sur du bétail, de la volaille ou toute autre espèce d'animaux que le directeur peut approuver, en utilisant seulement une ou plusieurs substances dont une loi en vigueur en Ontario exige la mise à l'essai, est, relativement à ces locaux, soustraite à l'application du paragraphe 4 (1) de la Loi et de l'article 4 du Règlement 24 des Règlements refondus de l'Ontario de 1990, sous réserve des conditions suivantes :

- 1. Le service de recherche est maintenu dans un état de salubrité constant et est exempt, dans la mesure du possible, d'insectes et de vermine.
- 2. Le comité des soins aux animaux informe le directeur par écrit, avant le début des travaux de recherche, du nom de la personne qui effectuera les travaux de recherche, de l'adresse du lieu où elle les effectuera et du nombre et du type ou de l'espèce des animaux destinés à être utilisés à cette fin.

10. Est soustraite à l'application de l'article 14 de la Loi la personne qui désire acquérir, notamment par achat, un animal, destiné à un service de recherche, qui est d'un type dont l'acquisition, notamment par achat, aux termes de l'article 14 de la Loi est difficile à cause de l'espèce ou de la race de l'animal recherché ou de la maladie ou de l'affection particulière dont doit être atteint l'animal. Toutefois, lorsqu'il s'agit d'un chien ou d'un chat, l'exemption est assujettie aux conditions suivantes :

1. Avant l'acquisition, notamment par achat, de l'animal, la personne informe le directeur par écrit de ce qui suit :
 - i. le nombre d'animaux à acquérir,
 - ii. le nom et l'adresse de la personne auprès de qui l'animal sera acquis,
 - iii. les motifs pour lesquels l'animal peut ne pas être facilement acquis aux termes de l'article 14 de la Loi.

2. Avant l'acquisition, notamment par achat, de l'animal, la personne obtient la permission écrite du directeur.

11. (1) L'exploitant d'une fourrière qui n'a pas satisfait à toutes les demandes visées à l'alinéa 20 (6) c) de la Loi est soustrait à l'interdiction, prévue au paragraphe 20 (6) de la Loi, de mettre à mort un chien ou un chat ou d'en causer ou d'en permettre la mise à mort, seulement si le chien ou le chat ne répond pas aux exigences énoncées dans les demandes.

(2) Pour l'application du paragraphe 24 (10) de la Loi, le trésorier d'une municipalité qui a adopté un règlement municipal prévoyant la mise en fourrière des chiens ou des chats, ou toute autre personne que le trésorier désigne par écrit, est prescrit comme étant la personne devant recevoir les paiements relatifs à un chien ou à un chat en fourrière.

12. (1) L'exploitant d'un service de recherche est soustrait à l'application du paragraphe 14 (2) de la Loi dans les cas suivants :

- a) il a acquis un chien ou un chat aux termes de l'alinéa 20 (6) c) de la Loi;
- b) l'utilisation du chien ou du chat aux fins des travaux de recherche n'est plus requise;
- c) à son avis, le chien ou le chat est en bonne santé et propre à servir à une ou plusieurs des utilisations visées à l'alinéa 20 (6) b) de la Loi;
- d) il dispose du chien ou du chat en en faisant don à l'exploitant de la fourrière où le chien ou le chat a été acquis :
 - (i) soit, pour qu'il soit utilisé à une des fins visées à l'alinéa 20 (6) b) de la Loi,
 - (ii) soit, aux fins d'euthanasie.

(2) Aucun chien ou chat qui a été renvoyé en fourrière en vertu du paragraphe (1) ne doit être remis à un service de recherche.

FORMULES 1 à 4

26/06

ONTARIO REGULATION 294/06

made under the

FARM PRODUCTS MARKETING ACT

Made: June 7, 2006

Filed: June 13, 2006

Published on e-Laws: June 15, 2006

Printed in *The Ontario Gazette*: July 1, 2006

Amending O. Reg. 137/97

(Burley Tobacco — Dissolution of Local Board)

Note: Ontario Regulation 137/97 has not previously been amended.

1. Ontario Regulation 139/97 is amended by adding the following French version:

TABAC BURLEY — DISSOLUTION DE LA COMMISSION LOCALE

1. La définition qui suit s'applique au présent règlement.

«commission locale» La commission appelée Ontario Burley Tobacco Growers' Marketing Board.

2. La commission locale fait don de l'argent porté à son crédit au programme appelé Access Program du Ridgetown College of Agricultural Technology pour l'octroi de bourses en son nom à l'intention des étudiants en phytotechnie.

3. La commission locale est dissoute.

26/06

ONTARIO REGULATION 295/06

made under the

FARM PRODUCTS MARKETING ACT

Made: June 7, 2006

Filed: June 13, 2006

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Printed in *The Ontario Gazette*: July 1, 2006

Amending Reg. 404 of R.R.O. 1990

(Designation — Ontario Canola Growers' Association)

Note: Regulation 404 has previously been amended. Those amendments are listed in the Table of Regulations — Legislative History Overview which can be found at www.e-laws.gov.on.ca.

1. Regulation 404 of the Revised Regulations of Ontario, 1990 is amended by adding the following French version:**DÉSIGNATION — ONTARIO CANOLA GROWERS' ASSOCIATION****1. La définition qui suit s'applique au présent règlement.**

«association» L'association appelée Ontario Canola Growers' Association.

2. La Ontario Canola Growers' Association est désignée comme l'association représentant les producteurs de canola en Ontario pour la mise en oeuvre d'un programme visant à stimuler, à accroître et à améliorer la production et la commercialisation locales de canola en Ontario par la publicité, l'éducation, la recherche et d'autres moyens.

3. Chaque producteur qui vend du canola paie des droits de permis de 3,80 \$ la tonne à l'association.

4. (1) Quiconque achète du canola à un producteur déduit, de l'argent payable à ce dernier, les droits de permis que le producteur doit verser à l'association à l'égard du canola.

(2) Au plus tard le quinzième jour de chaque mois, chaque personne verse à l'association les droits de permis qu'elle a déduits conformément au paragraphe (1) au cours du mois précédent.

5. L'association est autorisée à utiliser les droits de permis pour couvrir les dépenses qu'elle engage lors de la réalisation de ses objets.

6. L'association fournit à la Commission les renseignements et les états financiers que détermine cette dernière.

26/06

ONTARIO REGULATION 296/06

made under the

FARM PRODUCTS MARKETING ACT

Made: June 7, 2006

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Amending Reg. 416 of R.R.O. 1990

(Greenhouse Vegetables — Appointment of Trustee)

Note: Regulation 416 has previously been amended. Those amendments are listed in the Table of Regulations — Legislative History Overview which can be found at www.e-laws.gov.on.ca.

1. Regulation 416 of the Revised Regulations of Ontario, 1990 is amended by adding the following French version:

LÉGUMES DE SERRE — NOMINATION D'UN FIDUCIAIRE

1. La définition qui suit s'applique au présent règlement.

«commission» La commission appelée «The Ontario Greenhouse Vegetable Producers' Marketing Board».

2. Coopers & Lybrand Limited est nommé fiduciaire de la commission jusqu'au 31 octobre 1991.

3. Le fiduciaire agit à titre d'administrateur intérimaire et exerce tous les pouvoirs de la commission sauf celui de fixer le prix à payer aux producteurs.

4. Les membres de la commission qui sont en poste le 20 septembre 1990 le demeurent jusqu'au 31 octobre 1991 ou jusqu'à la date d'élection de leurs successeurs, si cette date est antérieure à l'autre.

26/06

ONTARIO REGULATION 297/06

made under the

FARM PRODUCTS PAYMENTS ACT

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Amending O. Reg. 390/04
(Fund for Producers of Wheat)

Note: Ontario Regulation 390/04 has not previously been amended.

1. Ontario Regulation 390/04 is amended by adding the following French version:

FONDS DES PRODUCTEURS DE BLÉ

DÉFINITIONS

Définitions

1. Les définitions qui suivent s'appliquent au présent règlement.

«Commission» La Commission de protection financière des producteurs de céréales. («Board»)

«commission locale» La commission appelée «The Ontario Wheat Producers' Marketing Board». («local board»)

«exploitant» Exploitant d'élevateur à grains au sens de la *Loi sur le grain*. («operator»)

«Fonds» Le fonds appelé «Fund for Wheat Producers». («Fund»)

«inspecteur en chef» L'inspecteur en chef nommé en vertu de la *Loi sur le grain*. («Chief Inspector»)

«marchand» Personne dont la profession consiste à acheter du blé des producteurs ou à en vendre pour leur compte.
(«dealer»)

«permis» S'entend :

- a) dans le cas du permis que détient un marchand, du permis visé par la *Loi sur le grain* qui autorise à exercer des activités à titre de marchand;
- b) dans le cas du permis que détient un exploitant, du permis visé par la *Loi sur le grain* qui autorise à exercer des activités à titre d'exploitant.

L'expression «titulaire d'un permis» a un sens correspondant. («licence», «licensed»)

«producteur» Quiconque se livre à la production de blé. («producer»)

CRÉATION DU FONDS

Produit agricole désigné

2. Le blé est désigné comme produit agricole.

Création du Fonds

3. Est créé un fonds pour les producteurs de blé appelé «Fund for Wheat Producers».

Commission

4. (1) Est prorogée la commission connue sous le nom de Commission de protection financière des producteurs de céréales, laquelle est chargée de gérer le Fonds.

- (2) Le ministre peut nommer un des membres de la Commission à la présidence et un autre à la vice-présidence.

Droits payables par les producteurs

5. (1) Le producteur est tenu de verser à la Commission, au moment de la vente, des droits fixés selon la méthode visée au paragraphe (3) pour le blé qu'il vend à un marchand.

- (2) Le montant des droits est fixé à 10 cents la tonne de blé vendu.

- (3) Le marchand, à la fois :

- a) déduit des sommes payables au producteur les droits que celui-ci est tenu de verser aux termes du paragraphe (1);
- b) fournit au producteur un relevé du montant des droits déduits aux termes de l'alinéa a) en même temps qu'il les déduit;
- c) expédie à la commission locale, dans les 15 jours qui suivent la fin du mois, les droits à verser sur toutes les ventes effectuées par le producteur au cours du mois.

- (4) La commission locale expédie sans délai à la Commission tous les droits qu'elle reçoit aux termes de l'alinéa (3) c).

Délai de paiement du prix de vente

6. (1) Si le producteur vend du blé à un marchand à un prix de base ou à un prix différé fixé par contrat, le marchand lui verse le prix de vente :

- a) quant au pourcentage du prix du marché qui est payable à titre d'acompte :

- (i) au plus tard à 14 heures le jour commercial qui suit le jour de la vente, si le blé est entreposé aux termes de la *Loi sur le grain*,
- (ii) dans les 10 jours commerciaux qui suivent le jour de sa livraison à l'acheteur, si le blé n'est pas entreposé aux termes de la *Loi sur le grain*;

- b) quant au solde du montant impayé après le paiement de l'acompte, le jour où le producteur fixe le prix du blé pour liquider le contrat.

(2) Si le producteur vend du blé à un marchand, mais non à un prix de base ou à un prix différé fixé par contrat, le marchand lui verse le prix de vente :

- a) au plus tard à 14 heures le jour commercial qui suit le jour de la vente, si le blé est entreposé aux termes de la *Loi sur le grain*;
- b) dans les 10 jours commerciaux qui suivent le jour de sa livraison à l'acheteur, si le blé n'est pas entreposé aux termes de la *Loi sur le grain*.

(3) Si le producteur n'a pas fixé le prix du blé pour liquider un contrat fixant un prix de base ou un prix différé au plus tard le jour où ont pris naissance les motifs pour lesquels il réclame un paiement par prélèvement sur le Fonds en vertu de l'article 3 de la Loi, le contrat est considéré comme étant liquidé ce jour-là.

Obligation d'aviser l'inspecteur

7. (1) Le producteur avise sans délai l'inspecteur en chef si, selon le cas :

- a) il n'a reçu aucun paiement du marchand pour le blé qu'il lui a vendu;
- b) il a des motifs de croire que le marchand auquel il a vendu le blé a cessé d'exercer ses activités;
- c) tout ou partie de l'actif du marchand qui a acheté du blé du producteur a été confié soit à un syndic pour être distribué en vertu de la *Loi sur la faillite et l'insolvabilité* (Canada) ou de la *Loi sur la vente en bloc*, soit à un séquestre conformément à une débenture ou à un autre acte similaire.

- (2) Le propriétaire avise sans délai l'inspecteur en chef si, selon le cas :

- a) l'exploitant qui entrepose du blé pour son compte ne livre pas le blé sur demande;

- b) le propriétaire a des motifs de croire que l'exploitant qui entrepose du blé pour son compte a cessé d'exercer ses activités;
- c) tout ou partie de l'actif de l'exploitant qui entrepose du blé pour son compte a été confié soit à un syndic pour être distribué en vertu de la *Loi sur la faillite et l'insolvabilité* (Canada) ou de la *Loi sur la vente en bloc*, soit à un séquestre conformément à une débenture ou à un autre acte similaire.

DEMANDES DE PAIEMENT PAR PRÉLÈVEMENT SUR LE FONDS

Motifs additionnels

8. Outre les motifs mentionnés au paragraphe 3 (1) de la Loi, le producteur peut demander paiement par prélèvement sur le Fonds à la Commission si, selon le cas :

- a) le marchand auquel il a vendu du blé a cessé d'exercer ses activités;
- b) tout ou partie de l'actif du marchand qui lui a acheté du blé a été confié à un séquestre conformément à une débenture ou à un autre acte similaire.

Formule de demande

9. (1) La demande de paiement par prélèvement sur le Fonds est présentée à la Commission selon la formule qu'elle juge appropriée.

(2) Le producteur qui réclame paiement par prélèvement sur le Fonds à la Commission présente une demande distincte relativement à chaque marchand contre lequel il a une réclamation.

(3) Le propriétaire qui réclame paiement par prélèvement sur le Fonds à la Commission présente une demande distincte relativement à chaque exploitant contre lequel il a une réclamation.

(4) Nul ne doit réclamer paiement par prélèvement sur le Fonds à la Commission plus de 30 jours après la date à laquelle les motifs de la réclamation prennent naissance.

Avis de demande

10. Sur réception de la demande présentée aux termes de l'article 9, la Commission avise le marchand ou l'exploitant concerné de la réclamation, par courrier recommandé, par messenger ou par télécopie, ainsi que l'inspecteur en chef.

Motifs de refus de paiement d'une réclamation

11. (1) La Commission peut refuser de payer la réclamation de l'auteur d'une demande de paiement par prélèvement sur le Fonds si, selon le cas :

- a) sous réserve du paragraphe (2), la réclamation de l'auteur de la demande vise un marchand ou un exploitant qui n'est pas titulaire d'un permis;
- b) sous réserve du paragraphe (3), l'auteur de la demande n'a pas présenté sa demande à la Commission dans le délai précisé au paragraphe 9 (4);
- c) l'auteur de la demande est un producteur, mais pas celui du blé visé par la réclamation;
- d) l'auteur de la demande est un producteur et il a reçu d'un marchand un chèque qui fait l'objet d'un refus par défaut d'acceptation ou de paiement, mais il ne l'a pas présenté à l'encaissement dans les cinq jours ouvrables de la date à laquelle il l'a reçu;
- e) l'auteur de la demande est un producteur et il a conclu une entente avec le marchand en vue de reporter la date d'exigibilité du paiement prévue à l'article 6;
- f) l'auteur de la demande est un producteur et il vend du blé à un marchand à un prix de base ou à un prix différé fixé par contrat, mais celui-ci n'a pas été conclu par écrit ni signé par l'auteur de la demande et le marchand;
- g) l'auteur de la demande n'a pas avisé l'inspecteur en chef contrairement à ce que prévoit l'article 7;
- h) il est satisfait aux conditions suivantes :
 - (i) l'auteur de la demande et le marchand ou l'exploitant visé par la réclamation ont des liens, de quelque nature que ce soit,
 - (ii) le comportement de l'auteur de la demande ou, si celui-ci est une personne morale, celui d'un de ses dirigeants ou administrateurs ou le comportement d'une personne ayant le pouvoir d'en diriger la gestion, a causé :
 - (A) soit le défaut de paiement du prix de vente par le marchand, si la réclamation vise le marchand,
 - (B) soit le défaut de livraison du blé par l'exploitant, si la réclamation vise l'exploitant,
 - (iii) dans les circonstances, il serait inéquitable d'effectuer un paiement par prélèvement sur le Fonds.

(2) La Commission peut payer la réclamation de l'auteur d'une demande de paiement par prélèvement sur le Fonds si les conditions suivantes sont réunies :

- a) la réclamation porte sur du blé vendu à un marchand ou entreposé par un exploitant;
- b) le permis du marchand ou de l'exploitant, selon le cas, était suspendu, révoqué ou expiré à la date de la vente ou de l'entreposage;
- c) l'auteur de la demande ignorait la suspension, la révocation ou l'expiration.

(3) Compte tenu des circonstances d'un cas particulier, la Commission peut payer la réclamation de l'auteur d'une demande de paiement par prélèvement sur le Fonds si celui-ci présente sa demande de paiement dès que possible après expiration du délai de 30 jours visé au paragraphe 9 (4).

Restrictions : paiements par prélèvement sur le Fonds

12. (1) Le montant que la Commission peut payer par prélèvement sur le Fonds à l'auteur de la demande relativement à une demande quelconque correspond à ce qui suit :

- a) dans le cas d'une réclamation faite par un propriétaire en vertu du paragraphe 3 (2) de la Loi, 95 pour cent de la valeur marchande du blé à l'égard duquel la réclamation est faite, établie à la date à laquelle les motifs de la réclamation ont pris naissance;
- b) dans le cas d'une réclamation faite par un producteur pour du blé vendu à un prix de base ou à un prix différé fixé par contrat, 95 pour cent du prix du marché payable à la date à laquelle le contrat est liquidé ou considéré comme liquidé, moins le plus élevé des éléments suivants :
 - (i) 75 pour cent du prix du marché du blé à la date à laquelle l'acompte a été versé,
 - (ii) 75 pour cent du prix du marché du blé à la date à laquelle le contrat est liquidé ou considéré comme liquidé;
- c) dans le cas d'une réclamation faite par l'auteur de la demande visé au paragraphe (2), 95 pour cent du montant fixé conformément aux paragraphes (2) et (3);
- d) dans les cas qui ne sont pas visés par l'alinéa a), b) ou c), 95 pour cent du montant de la réclamation.

(2) Si l'auteur de la demande est soit un producteur qui détient un permis de marchand et qui a acheté du blé avant la date à laquelle la réclamation a pris naissance, soit un propriétaire qui détient un permis d'exploitant et qui a entreposé du blé pour d'autres propriétaires avant la date à laquelle la réclamation a pris naissance, la quantité de blé à l'égard de laquelle la Commission peut payer sa réclamation par prélèvement sur le Fonds ne doit pas dépasser le pourcentage, calculé en vertu du paragraphe (3), de la quantité de blé à l'égard de laquelle la réclamation est faite.

(3) Le pourcentage visé au paragraphe (2) est calculé en divisant la quantité de blé produite par l'auteur de la demande par la quantité combinée de blé qu'il a produite, qu'il a achetée en sa qualité de marchand ou qu'il a entreposée en sa qualité d'exploitant.

(4) Outre la somme que la Commission paie à l'auteur de la demande par prélèvement sur le Fonds en vertu du paragraphe (1) relativement à une réclamation visant du blé, la Commission peut lui payer de la même façon celle qu'il n'était pas en mesure de payer à une association de producteurs au sens de la *Loi sur le paiement anticipé des récoltes* (Canada) pour le blé en raison, selon le cas :

- a) du défaut de paiement d'un marchand en sa faveur, dans le cas d'une réclamation faite par un producteur aux termes du paragraphe 3 (1) de la Loi;
- b) du défaut d'un exploitant de livrer le blé au propriétaire, dans le cas d'une réclamation faite par un propriétaire aux termes du paragraphe 3 (2) de la Loi.

Avis de décision

13. (1) Si la Commission décide qu'une demande de paiement par prélèvement sur le Fonds est valable, elle la paie et en avise le marchand ou l'exploitant concerné ainsi que l'inspecteur en chef.

(2) Si la Commission décide qu'une demande de paiement par prélèvement sur le Fonds n'est pas valable, elle refuse de la payer et :

- a) d'une part, en avise l'auteur de la demande ainsi que le marchand ou l'exploitant concerné, par courrier recommandé, par messenger ou par télécopie;
- b) d'autre part, en avise l'inspecteur en chef.

ONTARIO REGULATION 298/06

made under the

FARM PRODUCTS PAYMENTS ACT

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Amending Reg. 447 of R.R.O. 1990
(Fund for Producers of Canola)

Note: Regulation 447 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Regulation 447 of the Revised Regulations of Ontario, 1990 is amended by adding the following French version:

FONDS DES PRODUCTEURS DE CANOLA

1. Les définitions qui suivent s'appliquent au présent règlement.

«Association» L'association appelée «Ontario Canola Growers' Association» désignée en vertu de la *Loi sur la commercialisation des produits agricoles*. («Association»)

«Commission» La Commission de protection financière des producteurs de céréales. («Board»)

«exploitant» Exploitant d'élevateur à grains au sens de la *Loi sur le grain*. («operator»)

«Fonds» Le fonds appelé «Fund for Canola Producers». («Fund»)

«inspecteur en chef» L'inspecteur en chef nommé en vertu de la *Loi sur le grain*. («chief inspector»)

«marchand» Personne dont la profession consiste à acheter du canola des producteurs ou d'en vendre pour leur compte. («dealer»)

«permis» Dans le cas du permis que détient un marchand, s'entend du permis visé par la *Loi sur le grain* qui autorise à exercer des activités à titre de marchand. Dans le cas du permis que détient un exploitant, s'entend d'un permis visé par la *Loi sur le grain* qui autorise à exercer des activités à titre d'exploitant. L'expression «titulaire d'un permis» a un sens correspondant. («licence», «licensed»)

«producteur» Quiconque se livre à la production de canola. («producer»)

2. Est prorogé le fonds connu sous le nom de «Fund for Canola Producers».

3. La Commission gère le Fonds.

4. Le canola est désigné comme produit agricole.

5. (1) Le producteur est tenu de verser la Commission, au moment de la vente, des droits fixés à 20 cents la tonne de canola qu'il vend à un marchand.

(2) Le marchand :

- a) d'une part, déduit des sommes payables au producteur les droits que celui-ci est tenu de verser à la Commission;
- b) d'autre part, expédie à l'Association, dans les 15 jours qui suivent la fin du mois, les droits à verser sur toutes les ventes effectuées au cours du mois.

(3) L'Association expédie tous ces droits sans délai à la Commission.

(4) Le marchand fournit au producteur qui subit la déduction, en même temps que celle-ci, un relevé des droits déduits.

(5) Le marchand conserve pendant au moins deux ans un relevé de tous les achats de canola et de tous les droits déduits.

6. (1) Si le canola est vendu à un prix de base ou à un prix différé fixé par contrat, le paiement devient exigible :

a) quant au pourcentage du prix du marché qui est payable à titre d'acompte :

- (i) lorsque le canola est entreposé aux termes de la *Loi sur le grain*, au plus tard à 14 heures le jour commercial qui suit le jour de la vente,

- (ii) dans les cas non visés au sous-alinéa (i), dans les 10 jours commerciaux qui suivent le jour de sa livraison à l'acheteur;
 - b) quant au solde du montant impayé après le paiement de l'acompte, le jour où le producteur fixe le prix du canola pour liquider le contrat.
- (2) Dans les cas où le paragraphe (1) ne s'applique pas, le paiement pour le canola devient exigible :
- a) lorsque le canola est entreposé aux termes de la *Loi sur le grain*, au plus tard à 14 heures le jour commercial qui suit le jour de la vente;
 - b) dans les cas non visés à l'alinéa a), dans les 10 jours commerciaux qui suivent le jour de sa livraison à l'acheteur.
- (3) Si le producteur n'a pas fixé le prix du canola pour liquider un contrat fixant un prix de base ou un prix différé au plus tard le jour où ont pris naissance les motifs de la réclamation, le contrat est considéré comme étant liquidé ce jour-là.
7. Le producteur ou le propriétaire avise sans délai l'inspecteur en chef si, selon le cas :
- a) le producteur n'a reçu aucun paiement du marchand pour le canola dans les délais prévus à l'article 6;
 - b) le producteur ou le propriétaire a des motifs de croire que le marchand ou l'exploitant a cessé d'exercer ses activités;
 - c) l'exploitant qui entrepose du canola pour le compte du propriétaire ne livre pas le canola sur demande;
 - d) tout ou partie de l'actif soit du marchand qui a acheté du canola du producteur, soit de l'exploitant qui en entrepose pour le compte du propriétaire a été confié soit à un syndic pour être distribué en vertu de la *Loi sur la faillite et l'insolvabilité* (Canada) ou de la *Loi sur la vente en bloc*, soit à un séquestre conformément à une débenture ou à un autre acte similaire.
8. Les conditions prescrites suivantes s'ajoutent à celles mentionnées au paragraphe 3 (1) de la Loi auxquelles un producteur peut demander paiement par prélèvement sur le Fonds :
- 1. Tout ou partie de l'actif du marchand est confié à un séquestre conformément à une débenture ou à un autre acte similaire.
 - 2. Le marchand ou l'exploitant cesse d'exercer ses activités.
9. (1) La demande de paiement par prélèvement sur le Fonds est présentée à la Commission selon la formule qu'elle juge appropriée.
- (2) Une demande distincte est présentée à la Commission relativement à chaque marchand contre lequel un producteur a une réclamation et relativement à chaque exploitant contre lequel un propriétaire a une réclamation.
- (3) La demande ne peut être présentée à la Commission qu'au plus tard 30 jours après la date à laquelle les motifs de la réclamation prennent naissance.
10. Sur réception de la demande présentée aux termes de l'article 9, la Commission avise le marchand ou l'exploitant concerné de la réclamation, par courrier recommandé, par messenger ou par télécopie, ainsi que l'inspecteur en chef.
11. Si la Commission décide qu'une réclamation n'est pas valable, elle refuse de la payer et :
- a) d'une part, en avise l'auteur de la demande ainsi que le marchand ou l'exploitant, par courrier recommandé, par messenger ou par télécopie;
 - b) d'autre part, en avise l'inspecteur en chef.
12. Si la Commission décide qu'une réclamation est valable, elle la paie par prélèvement sur le Fonds et en avise le marchand ou l'exploitant ainsi que l'inspecteur en chef.
13. (1) Le marchand ou l'exploitant à l'égard duquel la Commission effectue un paiement par prélèvement sur le Fonds le rembourse à la Commission :
- a) soit en un seul paiement;
 - b) soit par versements échelonnés conformément à un engagement approuvé par la Commission.
- (2) La Commission avise l'inspecteur en chef si le marchand ou l'exploitant n'effectue pas le paiement unique ou s'il n'effectue pas, à la date d'échéance, un des versements prévus par l'engagement visé au paragraphe (1).
14. (1) La Commission peut refuser d'effectuer un paiement relativement à une réclamation si, selon le cas :
- a) sous réserve du paragraphe (2), la réclamation de l'auteur de la demande vise un marchand ou un exploitant qui n'est pas titulaire d'un permis;

- b) un chèque que l'auteur de la demande a reçu d'un marchand fait l'objet d'un refus par défaut d'acceptation ou de paiement, à moins que l'auteur de la demande n'ait présenté le chèque à l'encaissement dans les cinq jours ouvrables de la date à laquelle il l'a reçu;
- c) l'auteur de la demande ne présente pas sa demande à la Commission dans le délai prescrit au paragraphe 9 (3);
- d) l'auteur de la demande a conclu une entente avec le marchand en vue de reporter la date d'exigibilité du paiement prévue à l'article 6;
- e) l'auteur de la demande n'est pas le producteur du canola visé par la réclamation;
- f) le contrat visé au paragraphe 6 (1), qui prévoit la fixation d'un prix de base ou d'un prix différé, n'a pas été conclu par écrit ni signé par l'auteur de la demande et le marchand;
- g) l'auteur de la demande n'a pas avisé l'inspecteur en chef contrairement à ce que prévoit l'article 7;
- h) l'auteur de la demande et le marchand ou l'exploitant ont des liens, de quelque nature que ce soit, et le comportement de l'auteur de la demande ou, lorsque celui-ci est une personne morale, celui d'un de ses dirigeants ou administrateurs ou le comportement d'une personne ayant le pouvoir d'en diriger la gestion, a causé le défaut de paiement ou de livraison du canola, ce qui, dans les circonstances, rendrait inéquitable un paiement par prélèvement sur le Fonds.

(2) L'auteur de la demande peut être payé par prélèvement sur le Fonds si la réclamation porte sur du canola vendu à un marchand ou à un exploitant ou entreposé par un marchand ou un exploitant dont le permis était suspendu, révoqué, non renouvelé ou expiré et si, à la date de la vente ou de l'entreposage, l'auteur de la demande ignorait la suspension, la révocation, le non-renouvellement ou l'expiration.

15. (1) Compte tenu des circonstances d'un cas particulier, la Commission peut proroger le délai de présentation d'une demande prévu au paragraphe 9 (3).

(2) Si la Commission proroge le délai de présentation d'une demande en vertu du paragraphe (1), elle peut effectuer un paiement par prélèvement sur le Fonds.

16. (1) Le montant pouvant être payé par prélèvement sur le Fonds à l'auteur de la demande relativement à une demande quelconque correspond à ce qui suit :

- a) dans le cas d'une réclamation faite en vertu du paragraphe 3 (2) de la Loi, 90 pour cent de la valeur marchande du canola à l'égard duquel la réclamation est faite, établie à la date à laquelle les motifs de la réclamation ont pris naissance;
- b) dans le cas d'une réclamation fondée sur le contrat visé au paragraphe 6 (1), qui prévoit la fixation d'un prix de base ou d'un prix différé, 90 pour cent du prix du marché payable à la date à laquelle le contrat est liquidé ou considéré comme liquidé, moins 75 pour cent du prix du marché du canola à la date à laquelle l'acompte a été versé ou, si le montant versé correspond à plus de 75 pour cent du prix du marché, le montant réellement versé;
- c) dans le cas d'une réclamation faite par l'auteur de la demande visé au paragraphe (3), 90 pour cent du montant fixé conformément aux paragraphes (3) et (4);
- d) dans les cas qui ne sont pas visés par l'alinéa a), b) ou c), 90 pour cent du montant de la réclamation.

(2) Pour l'application du paragraphe (1), tout défaut de paiement à l'association de producteurs au sens de la *Loi sur le paiement anticipé des récoltes* (Canada) par l'auteur de la demande, lequel résulte d'un défaut de paiement par un marchand ou de l'omission d'un exploitant de livrer le canola, entre dans le calcul du montant réclamé par l'auteur de la demande.

(3) La quantité de canola à l'égard de laquelle une réclamation peut être payée par prélèvement sur le Fonds ne doit pas dépasser le pourcentage, calculé en vertu du paragraphe (4), de la quantité de canola à l'égard de laquelle la réclamation est faite, lorsque l'auteur de la demande est un producteur ou un propriétaire qui, selon le cas :

- a) détient un permis de marchand et a acheté le canola avant la date à laquelle la réclamation a pris naissance;
- b) détient un permis d'exploitant.

(4) Le pourcentage prescrit au paragraphe (3) est calculé en divisant la quantité de canola produite par l'auteur de la demande par la quantité combinée de canola qu'il a produite, qu'il a achetée en sa qualité de marchand et qu'il a entreposée en sa qualité d'exploitant.

ONTARIO REGULATION 299/06

made under the

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Amending Reg. 448 of R.R.O. 1990

(Fund for Producers of Grain Corn)

Note: Regulation 448 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Regulation 448 of the Revised Regulations of Ontario, 1990 is amended by adding the following French version:**FONDS DES PRODUCTEURS DE MAÏS-GRAIN****1. Les définitions qui suivent s'appliquent au présent règlement.**

«Association» L'Association des producteurs de maïs de l'Ontario prorogée en vertu de la *Loi sur les organisations agricoles et horticoles*. («Association»)

«Commission» La Commission de protection financière des producteurs de céréales. («Board»)

«exploitant» Exploitant d'élevateur à grains au sens de la *Loi sur le grain*. («operator»)

«Fonds» Le fonds appelé «Fund for Grain Corn Producers». («Fund»)

«inspecteur en chef» L'inspecteur en chef nommé en vertu de la *Loi sur le grain*. («Chief Inspector»)

«maïs-grain» Ne s'entend pas du maïs à éclater, du maïs de semence ni du maïs sucré. («grain corn»)

«marchand» Personne dont la profession consiste à acheter du maïs-grain des producteurs ou à en vendre pour leur compte. («dealer»)

«permis» Dans le cas du permis que détient un marchand, s'entend du permis visé par la *Loi sur le grain* qui autorise à exercer des activités à titre de marchand. Dans le cas du permis que détient un exploitant, s'entend d'un permis visé par la *Loi sur le grain* qui autorise à exercer des activités à titre d'exploitant. L'expression «titulaire d'un permis» a un sens correspondant. («licence», «licensed»)

«producteur» Quiconque se livre à la production de maïs-grain. («producer»)

2. Est prorogée le fonds des producteurs de maïs-grain connu sous le nom de «Fund for Grain Corn Producers».

3. (1) Est prorogée la commission connue sous le nom de Commission de protection financière des producteurs de céréales, laquelle est chargée de gérer le Fonds et se compose d'au moins cinq membres.

(2) Le ministre peut désigner un des membres de la Commission à la présidence et un autre à la vice-présidence.

4. Le maïs-grain est désigné comme produit agricole.

5. (1) Le producteur est tenu de verser à la Commission, au moment de la vente, des droits fixés à 0,1 cent la tonne de maïs-grain qu'il vend à un marchand.

(2) Le marchand :

a) d'une part, déduit des sommes payables au producteur les droits que celui-ci est tenu de verser à la Commission;

b) d'autre part, expédie à l'Association, dans les 15 jours qui suivent la fin du mois, les droits à verser sur toutes les ventes effectuées au cours du mois.

(3) L'Association expédie tous ces droits sans délai à la Commission.

(4) Le marchand fournit au producteur qui subit la déduction, en même temps que celle-ci, un relevé des droits déduits.

(5) Le marchand conserve pendant au moins deux ans un relevé de tous les achats de maïs-grain et de tous les droits déduits.

6. (1) Si le maïs-grain est vendu à un prix de base ou à un prix différé fixé par contrat, le paiement devient exigible :

a) quant au pourcentage du prix du marché qui est payable à titre d'acompte :

(i) lorsque le maïs-grain est entreposé aux termes de la *Loi sur le grain*, au plus tard à 14 heures le jour commercial qui suit le jour de la vente,

(ii) dans les autres cas non visés au sous-alinéa (i), dans les 10 jours commerciaux qui suivent le jour de sa livraison à l'acheteur;

b) quant au solde du montant impayé après le paiement de l'acompte, le jour où le producteur fixe le prix du maïs-grain pour liquider le contrat.

(2) Dans les cas où le paragraphe (1) ne s'applique pas, le paiement pour le maïs-grain devient exigible :

a) lorsque le maïs-grain est entreposé aux termes de la *Loi sur le grain*, au plus tard à 14 heures le jour commercial qui suit le jour de la vente;

b) dans les autres cas non visés à l'alinéa a), dans les 10 jours commerciaux qui suivent le jour de sa livraison à l'acheteur.

(3) Si le producteur n'a pas fixé le prix du maïs-grain pour liquider un contrat fixant un prix de base ou un prix différé au plus tard le jour où ont pris naissance les motifs de la réclamation, le contrat est considéré comme étant liquidé ce jour-là.

7. Le producteur ou le propriétaire avise sans délai l'inspecteur en chef si, selon le cas :

a) le producteur n'a reçu aucun paiement du marchand pour le maïs-grain dans les délais prévus à l'article 6;

b) le producteur ou le propriétaire a des motifs de croire que le marchand ou l'exploitant a cessé d'exercer ses activités;

c) l'exploitant qui entrepose du maïs-grain pour le compte du propriétaire ne livre pas le maïs-grain sur demande;

d) tout ou partie de l'actif soit du marchand qui a acheté du maïs-grain du producteur, soit de l'exploitant qui en entrepose pour le compte du propriétaire a été confié soit à un syndic pour être distribué en vertu de la *Loi sur la faillite et l'insolvabilité* (Canada) ou de la *Loi sur la vente en bloc*, soit à un séquestre conformément à une débenture ou à un autre acte similaire.

8. Les conditions prescrites suivantes s'ajoutent à celles mentionnées au paragraphe 3 (1) de la Loi auxquelles un producteur peut demander paiement par prélèvement sur le Fonds :

a) tout ou partie de l'actif du marchand est confié à un séquestre conformément à une débenture ou à un autre acte similaire;

b) le marchand ou l'exploitant cesse d'exercer ses activités.

9. (1) La demande de paiement par prélèvement sur le Fonds est présentée à la Commission selon la formule qu'elle juge appropriée.

(2) Une demande distincte est présentée à la Commission relativement à chaque marchand contre lequel un producteur a une réclamation et relativement à chaque exploitant contre lequel un propriétaire a une réclamation.

(3) La demande est présentée à la Commission au plus tard 30 jours après la date à laquelle les motifs de la réclamation prennent naissance.

10. Sur réception de la demande présentée aux termes de l'article 9, la Commission avise le marchand ou l'exploitant concerné de la réclamation, par courrier recommandé, par messenger ou par télécopie, ainsi que l'inspecteur en chef.

11. Si la Commission décide qu'une réclamation n'est pas valable, elle refuse de la payer et :

a) d'une part, en avise l'auteur de la demande ainsi que le marchand ou l'exploitant, par courrier recommandé, par messenger ou par télécopie;

b) d'autre part, en avise l'inspecteur en chef.

12. Si la Commission décide qu'une réclamation est valable, elle la paie par prélèvement sur le Fonds et en avise le marchand ou l'exploitant ainsi que l'inspecteur en chef.

13. (1) Lorsque la Commission effectue un paiement par prélèvement sur le Fonds, le marchand ou l'exploitant à l'égard duquel le paiement est effectué est tenu :

a) soit de le rembourser à la Commission;

b) soit de commencer à le rembourser par versements échelonnés conformément à un engagement approuvé par la Commission.

(2) La Commission avise l'inspecteur en chef si le marchand ou l'exploitant ne rembourse pas le montant versé ou s'il n'effectue pas, à la date d'échéance, un des versements prévus par l'engagement visé au paragraphe (1).

14. (1) La Commission peut refuser d'effectuer un paiement relativement à une réclamation si, selon le cas :

- a) sous réserve du paragraphe (2), la réclamation de l'auteur de la demande vise un marchand ou un exploitant qui n'est pas titulaire d'un permis;
- b) un chèque que l'auteur de la demande a reçu d'un marchand fait l'objet d'un refus par défaut d'acceptation ou de paiement, à moins que l'auteur de la demande n'ait présenté le chèque à l'encaissement dans les cinq jours ouvrables de la date à laquelle il l'a reçu;
- c) l'auteur de la demande ne présente pas sa demande à la Commission dans le délai prescrit au paragraphe 9 (3);
- d) l'auteur de la demande a conclu une entente avec le marchand en vue de reporter la date d'exigibilité du paiement prévue à l'article 6;
- e) l'auteur de la demande n'est pas le producteur du maïs-grain visé par la réclamation;
- f) le contrat visé au paragraphe 6 (1), qui prévoit la fixation d'un prix de base ou d'un prix différé, n'a pas été conclu par écrit ni signé par l'auteur de la demande et le marchand;
- g) l'auteur de la demande n'a pas avisé l'inspecteur en chef contrairement à ce que prévoit l'article 7;
- h) l'auteur de la demande et le marchand ou l'exploitant ont des liens, de quelque nature que ce soit, et le comportement de l'auteur de la demande ou, lorsque celui-ci est une personne morale, celui d'un de ses dirigeants ou administrateurs ou le comportement d'une personne ayant le pouvoir d'en diriger la gestion, a causé le défaut de paiement ou de livraison du maïs-grain, ce qui, dans les circonstances, rendrait inéquitable un paiement par prélèvement sur le Fonds.

(2) L'auteur de la demande peut être payé par prélèvement sur le Fonds lorsque la réclamation porte sur du maïs-grain vendu à un marchand ou à un exploitant ou entreposé par un marchand ou un exploitant dont le permis était suspendu, révoqué, non renouvelé ou expiré si, à la date de la vente ou de l'entreposage, l'auteur de la demande ignorait la suspension, la révocation, le non-renouvellement ou l'expiration.

15. Compte tenu des circonstances d'un cas particulier, la Commission peut effectuer un paiement par prélèvement sur le Fonds si la demande de paiement est conforme, pour l'essentiel, au paragraphe 9 (3).

16. (1) Le montant pouvant être payé par prélèvement sur le Fonds à l'auteur de la demande relativement à une demande quelconque correspond à ce qui suit :

- a) dans le cas d'une réclamation faite en vertu du paragraphe 3 (2) de la Loi, 95 pour cent de la valeur marchande du maïs-grain à l'égard duquel la réclamation est faite, établie à la date à laquelle les motifs de la réclamation ont pris naissance;
- b) dans le cas d'une réclamation fondée sur le contrat visé au paragraphe 6 (1), qui prévoit la fixation d'un prix de base ou d'un prix différé, 95 pour cent du prix du marché payable à la date à laquelle le contrat est liquidé ou considéré comme liquidé, moins 75 pour cent du prix du marché du maïs-grain à la date à laquelle l'acompte a été versé ou, si le montant versé correspond à plus de 75 pour cent du prix du marché, le montant réellement versé;
- c) dans le cas d'une réclamation faite par l'auteur de la demande visé au paragraphe (3), 95 pour cent du montant fixé conformément aux paragraphes (3) et (4);
- d) dans les cas qui ne sont pas visés par l'alinéa a), b) ou c), 95 pour cent du montant de la réclamation.

(2) Pour l'application du paragraphe (1), tout défaut de paiement à l'association de producteurs au sens de la *Loi sur le paiement anticipé des récoltes* (Canada) par la personne qui présente la réclamation, lequel résulte d'un défaut de paiement par un marchand ou de l'omission d'un exploitant de livrer le maïs-grain, entre dans le calcul du montant réclamé par l'auteur de la demande.

(3) La quantité de maïs-grain à l'égard de laquelle une réclamation peut être payée par prélèvement sur le Fonds ne doit pas dépasser le pourcentage, calculé en vertu du paragraphe (4), de la quantité de maïs-grain à l'égard de laquelle la réclamation est faite, lorsque l'auteur de la demande est un producteur ou un propriétaire qui, selon le cas :

- a) détient un permis de marchand et a acheté le maïs-grain avant la date à laquelle la réclamation a pris naissance;
- b) détient un permis d'exploitant et a entreposé le maïs-grain pour d'autres propriétaires avant la date à laquelle la réclamation a pris naissance.

(4) Le pourcentage prescrit au paragraphe (3) est calculé en divisant la quantité de maïs-grain produite par l'auteur de la demande par la quantité combinée de maïs-grain qu'il a produite, qu'il a achetée en sa qualité de marchand et qu'il a entreposée en sa qualité d'exploitant.

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Amending Reg. 450 of R.R.O. 1990

(Fund for Producers of Soybeans)

Note: Regulation 450 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Regulation 450 of the Revised Regulations of Ontario, 1990 is amended by adding the following French version:

FONDS DES PRODUCTEURS DE SOYA

1. Les définitions qui suivent s'appliquent au présent règlement.

- «Commission» La Commission de protection financière des producteurs de céréales. («Board»)
- «commission locale» La commission appelée «The Ontario Soybean Growers' Marketing Board». («local board»)
- «exploitant» Exploitant d'élevateur à grains au sens de la *Loi sur le grain*. («operator»)
- «Fonds» Le fonds appelé «Fund for Soybeans». («Fund»)
- «inspecteur en chef» L'inspecteur en chef nommé en vertu de la *Loi sur le grain*. («Chief Inspector»)
- «marchand» Personne dont la profession consiste à acheter du soya des producteurs ou à en vendre pour leur compte. («dealer»)
- «permis» Dans le cas du permis que détient un marchand, s'entend du permis visé par la *Loi sur le grain* qui autorise à exercer des activités à titre de marchand. Dans le cas du permis que détient un exploitant, s'entend d'un permis visé par la *Loi sur le grain* qui autorise à exercer des activités à titre d'exploitant. L'expression «titulaire d'un permis» a un sens correspondant. («licence», «licensed»)
- «producteur» Quiconque se livre à la production de soya. («producer»)
2. Est prorogé le fonds connu sous le nom de «Fund for Soybean Producers».
3. La Commission gère le Fonds.
4. Le soya est désigné comme produit agricole.
5. (1) Le producteur est tenu de verser à la Commission, au moment de la vente, des droits fixés à 2 cents la tonne de soya qu'il vend à un marchand.
- (2) Le marchand :
- a) d'une part, déduit des sommes payables au producteur les droits que celui-ci est tenu de verser à la Commission;
- b) d'autre part, expédie à la commission locale, dans les 15 jours qui suivent la fin du mois, les droits à verser sur toutes les ventes effectuées au cours du mois.
- (3) La commission locale expédie tous ces droits sans délai à la Commission.
- (4) Le marchand fournit au producteur qui subit la déduction, en même temps que celle-ci, un relevé des droits déduits.
- (5) Le marchand conserve pendant au moins deux ans un relevé de tous les achats de soya et de tous les droits déduits.
6. (1) Si le soya est vendu à un prix de base ou à un prix différé fixé par contrat, le paiement devient exigible :
- a) quant au pourcentage du prix du marché qui est payable à titre d'acompte :
- (i) lorsque le soya est entreposé aux termes de la *Loi sur le grain*, au plus tard à 14 heures le jour commercial qui suit le jour de la vente,

- (ii) dans les autres cas non visés au sous-alinéa (i), dans les 10 jours commerciaux qui suivent le jour de sa livraison à l'acheteur;
 - b) quant au solde du montant impayé après le paiement de l'acompte, le jour où le producteur fixe le prix du soya pour liquider le contrat.
- (2) Dans les cas où le paragraphe (1) ne s'applique pas, le paiement pour le soya devient exigible :
- a) lorsque le soya est entreposé aux termes de la *Loi sur le grain*, au plus tard à 14 heures le jour commercial qui suit le jour de la vente;
 - b) dans tous les autres cas non visés à l'alinéa a), dans les 10 jours commerciaux qui suivent le jour de sa livraison à l'acheteur.
- (3) Si le producteur n'a pas fixé le prix du soya pour liquider un contrat fixant un prix de base ou un prix différé au plus tard le jour où ont pris naissance les motifs de la réclamation, le contrat est considéré comme étant liquidé ce jour-là.
7. Le producteur ou le propriétaire avise sans délai l'inspecteur en chef si, selon le cas :
- a) le producteur n'a reçu aucun paiement du marchand pour le soya dans les délais prévus à l'article 6;
 - b) le producteur ou le propriétaire a des motifs de croire que le marchand ou l'exploitant a cessé d'exercer ses activités;
 - c) l'exploitant qui entrepose du soya pour le compte du propriétaire ne livre pas le soya sur demande;
 - d) tout ou partie de l'actif soit du marchand qui a acheté du soya du producteur, soit de l'exploitant qui en entrepose pour le compte du propriétaire a été confié soit à un syndic pour être distribué en vertu de la *Loi sur la faillite et l'insolvabilité* (Canada) ou de la *Loi sur la vente en bloc*, soit à un séquestre conformément à une débenture ou à un autre acte similaire.
8. Les conditions prescrites suivantes s'ajoutent à celles mentionnées au paragraphe 3 (1) de la Loi auxquelles un producteur peut demander paiement par prélèvement sur le fonds :
- a) tout ou partie de l'actif du marchand est confié à un séquestre conformément à une débenture ou à un autre acte similaire;
 - b) le marchand ou l'exploitant cesse d'exercer ses activités.
9. (1) La demande de paiement par prélèvement sur le Fonds est présentée à la Commission selon la formule qu'elle juge appropriée.
- (2) Une demande distincte est présentée à la Commission relativement à chaque marchand contre lequel un producteur a une réclamation et relativement à chaque exploitant contre lequel un propriétaire a une réclamation.
- (3) La demande est présentée à la Commission au plus tard 30 jours après la date à laquelle les motifs de la réclamation prennent naissance.
10. Sur réception de la demande présentée aux termes de l'article 9, la Commission avise le marchand ou l'exploitant concerné de la réclamation, par courrier recommandé, par messenger ou par télécopie, ainsi que l'inspecteur en chef.
11. Si la Commission décide qu'une réclamation n'est pas valable, elle refuse de la payer et :
- a) d'une part, en avise l'auteur de la demande ainsi que le marchand ou l'exploitant, par courrier recommandé, par messenger ou par télécopie;
 - b) d'autre part, en avise l'inspecteur en chef.
12. Si la Commission décide qu'une réclamation est valable, elle la paie par prélèvement sur le Fonds et en avise le marchand ou l'exploitant ainsi que l'inspecteur en chef.
13. (1) Lorsque la Commission effectue un paiement par prélèvement sur le Fonds, le marchand ou l'exploitant à l'égard duquel le paiement est effectué est tenu :
- a) soit de le rembourser à la Commission;
 - b) soit de commencer à le rembourser par versements échelonnés conformément à un engagement approuvé par la Commission.
- (2) La Commission avise l'inspecteur en chef si le marchand ou l'exploitant ne rembourse pas le montant versé ou s'il n'effectue pas, à la date d'échéance, un des versements prévus par l'engagement visé au paragraphe (1).
14. (1) La Commission peut refuser d'effectuer un paiement relativement à une réclamation si, selon le cas :
- a) sous réserve du paragraphe (2), la réclamation de l'auteur de la demande vise un marchand ou un exploitant qui n'est pas titulaire d'un permis;

- b) un chèque que l'auteur de la demande a reçu d'un marchand fait l'objet d'un refus par défaut d'acceptation ou de paiement, à moins que l'auteur de la demande n'ait présenté le chèque à l'encaissement dans les cinq jours ouvrables de la date à laquelle il l'a reçu;
- c) l'auteur de la demande ne présente pas sa demande à la Commission dans le délai prescrit au paragraphe 9 (3);
- d) l'auteur de la demande a conclu une entente avec le marchand en vue de reporter la date d'exigibilité du paiement prévue à l'article 6;
- e) l'auteur de la demande n'est pas le producteur du soya visé par la réclamation;
- f) le contrat visé au paragraphe 6 (1), qui prévoit la fixation d'un prix de base ou d'un prix différé, n'a pas été conclu par écrit ni signé par l'auteur de la demande et le marchand;
- g) l'auteur de la demande n'a pas avisé l'inspecteur en chef contrairement à ce que prévoit l'article 7;
- h) l'auteur de la demande et le marchand ou l'exploitant ont des liens, de quelque nature que ce soit, et le comportement de l'auteur de la demande ou, lorsque celui-ci est une personne morale, celui d'un de ses dirigeants ou administrateurs ou le comportement d'une personne ayant le pouvoir d'en diriger la gestion, a causé le défaut de paiement ou de livraison du soya, ce qui, dans les circonstances, rendrait inéquitable un paiement par prélèvement sur le Fonds.

(2) L'auteur de la demande peut être payé par prélèvement sur le Fonds lorsque la réclamation porte sur du soya vendu à un marchand ou à un exploitant ou entreposé par un marchand ou un exploitant dont le permis était suspendu, révoqué, non renouvelé ou expiré si, à la date de la vente ou de l'entreposage, l'auteur de la demande ignorait la suspension, la révocation, le non-renouvellement ou l'expiration.

15. Compte tenu des circonstances d'un cas particulier, la Commission peut effectuer un paiement par prélèvement sur le Fonds si la demande de paiement est conforme, pour l'essentiel, au paragraphe 9 (3).

16. (1) Le montant pouvant être payé par prélèvement sur le Fonds à l'auteur de la demande relativement à une demande quelconque correspond à ce qui suit :

- a) dans le cas d'une réclamation faite en vertu du paragraphe 3 (2) de la Loi, 90 pour cent de la valeur marchande du soya à l'égard duquel la réclamation est faite, établie à la date à laquelle les motifs de la réclamation ont pris naissance;
- b) dans le cas d'une réclamation fondée sur le contrat visé au paragraphe 6 (1), qui prévoit la fixation d'un prix de base ou d'un prix différé, 90 pour cent du prix du marché payable à la date à laquelle le contrat est liquidé ou considéré comme liquidé, moins 75 pour cent du prix du marché du soya à la date à laquelle l'acompte a été versé ou, si le montant versé correspond à plus de 75 pour cent du prix du marché, le montant réellement versé;
- c) dans le cas d'une réclamation faite par l'auteur de la demande visé au paragraphe (3), 90 pour cent du montant fixé conformément aux paragraphes (3) et (4);
- d) dans les cas qui ne sont pas visés par l'alinéa a), b) ou c), 90 pour cent du montant de la réclamation.

(2) Pour l'application du paragraphe (1), tout défaut de paiement à l'association de producteurs au sens de la *Loi sur le paiement anticipé des récoltes* (Canada) par la personne qui fait la réclamation, lequel résulte d'un défaut de paiement par un marchand ou de l'omission d'un exploitant de livrer le soya, entre dans le calcul du montant réclamé par l'auteur de la demande.

(3) La quantité de soya à l'égard de laquelle une réclamation peut être payée par prélèvement sur le Fonds ne doit pas dépasser le pourcentage, calculé en vertu du paragraphe (4), de la quantité de soya à l'égard de laquelle la réclamation est faite, lorsque l'auteur de la demande est un producteur ou un propriétaire qui, selon le cas :

- a) détient un permis de marchand et a acheté le soya avant la date à laquelle la réclamation a pris naissance;
- b) détient un permis d'exploitant et a entreposé le soya pour d'autres propriétaires avant la date à laquelle la réclamation a pris naissance.

(4) Le pourcentage prescrit au paragraphe (3) est calculé en divisant la quantité de soya produite par l'auteur de la demande par la quantité combinée de soya qu'il a produite, qu'il a achetée en sa qualité de marchand et qu'il a entreposée en sa qualité d'exploitant.

ONTARIO REGULATION 301/06
made under the
FARM PRODUCTS PAYMENTS ACT

Made: June 7, 2006
Filed: June 13, 2006
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Printed in *The Ontario Gazette*: July 1, 2006

Amending O. Reg. 560/93
(Fund for Livestock Producers)

Note: Ontario Regulation 560/93 has previously been amended. Those amendments are listed in the Table of Regulations — Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Ontario Regulation 560/93 is amended by adding the following French version:

FONDS POUR LES ÉLEVEURS DE BÉTAIL

1. Les définitions qui suivent s'appliquent au présent règlement.
«bétail» Bovins vendus à des fins d'abattage ou d'engraissement pour la production de viande bovine. («livestock»)
«directeur» Le directeur nommé en vertu de la *Loi sur le bétail et les produits du bétail*. («director»)
2. Est prorogé le fonds connu sous le nom de «Fund for Livestock Producers», ci-après appelé le «Fonds».
3. Est prorogée la commission connue sous le nom de «Livestock Financial Protection Board», ci-après appelée la «Commission», qui est chargée de gérer le Fonds.
4. (1) La Commission se compose d'au moins cinq membres, parmi lesquels se trouvent :
 - a) un représentant chacun pour l'association appelée «Ontario Cattlemen's Association», le Conseil des viandes du Canada et les exploitants de ventes à l'encan visés par la *Loi sur la vente à l'encan du bétail*;
 - b) les autres membres que le ministre estime souhaitables.(2) Le fait qu'il y ait une vacance à la Commission n'a pas pour effet d'empêcher les membres en poste d'exercer leurs fonctions tant qu'il y a quorum.
- (3) Cinq membres de la Commission constituent le quorum pour traiter des affaires de celle-ci.
- (4) Le ministre nomme un des membres de la Commission à la présidence de celle-ci et un autre à la vice-présidence.
5. Le bétail est désigné comme produit agricole.
6. (1) Les catégories suivantes de personnes qui se livrent à la vente de bétail sont désignées comme producteurs :
 1. Les marchands titulaires d'un permis délivré en vertu de la *Loi sur le bétail et les produits du bétail*, dans le cas des ventes à d'autres marchands titulaires d'un tel permis.
 2. Les exploitants titulaires d'un permis délivré en vertu de la *Loi sur la vente à l'encan du bétail*, dans le cas des ventes à l'encan du bétail à d'autres producteurs.
 3. Les sociétés coopératives auxquelles la *Loi sur le bétail et les produits du bétail* ne s'applique pas conformément à l'alinéa 2 d) de cette loi, dans le cas des ventes de bétail aux enchères publiques à d'autres producteurs.(2) Pour l'application du présent article et des articles 10, 12 à 17, 19 et 21, une coopérative financière de bovins d'engraissement qui est admissible en vertu du programme appelé «Ontario Feeder Cattle Loan Guarantee Program» est un producteur lorsqu'elle achète du bétail d'un producteur désigné comme tel en vertu de la disposition 2, 3 ou 4 du paragraphe (1).
7. (1) Dans le cas d'une vente directe de bétail, le vendeur verse à la Commission des droits fixés à 5 cents la tête de bétail.
- (2) Dans le cas d'une vente directe, l'acheteur déduit de la somme payable au vendeur les droits payables à la Commission et ensuite donne à ce dernier un relevé des droits ainsi déduits.

(3) Au plus tard le 15^e jour de chaque mois, l'acheteur expédie à la Commission les droits déduits aux termes du paragraphe (2) à l'égard des ventes effectuées pendant le mois précédant ainsi qu'un relevé de tout le bétail vendu, rédigé selon la formule fournie par la Commission.

(4) Malgré le paragraphe (3), l'acheteur qui achète 1 000 têtes de bétail ou moins pendant l'année n'est pas tenu d'expédier les droits déduits ainsi qu'un relevé plus d'une fois par année.

8. (1) Dans le cas d'une vente de bétail effectuée par consignation, le consignateur et le consignataire versent chacun à la Commission des droits fixés à 5 cents la tête de bétail.

(2) Dans le cas d'une vente effectuée par consignation, le consignataire déduit de la somme payable au consignateur les droits payables à la Commission par ce dernier et donne ensuite à celui-ci un relevé des droits ainsi déduits.

(3) Au plus tard le 15^e jour de chaque mois, le consignataire expédie à la Commission les droits payables aux termes des paragraphes (1) et (2) à l'égard des ventes effectuées pendant le mois précédant ainsi qu'un relevé de tout le bétail vendu, rédigé selon la formule fournie par la Commission.

(4) Malgré le paragraphe (3), le consignataire qui vend 1 000 têtes de bétail ou moins pendant l'année pour le compte d'un consignateur n'est pas tenu d'expédier les droits déduits ainsi qu'un relevé plus d'une fois par année.

9. Dans le cas d'une vente de bétail à un marchand, les conditions suivantes s'ajoutent à celles auxquelles un producteur peut demander paiement par prélèvement sur le Fonds :

1. Tout ou partie de l'actif du marchand est confié à un séquestre conformément à une débenture ou à un autre acte similaire.
2. Le marchand cesse d'exercer ses activités.

10. (1) Dans le cas d'une vente de bétail à un producteur, les conditions suivantes s'ajoutent à celles auxquelles un producteur peut demander paiement par prélèvement sur le Fonds :

1. Le producteur qui achète le bétail ne paie pas pour celui-ci dans les 15 jours suivant la date de la vente.
2. Tout ou partie de l'actif du producteur qui achète le bétail est confié à un séquestre conformément à une débenture ou à un autre acte similaire ou à un syndic pour être distribué en vertu de la *Loi sur la faillite et l'insolvabilité* (Canada) ou de la *Loi sur la vente en bloc*.
3. Le producteur qui achète le bétail cesse d'exercer ses activités.

(2) Nul producteur ne peut demander paiement par prélèvement sur le Fonds à l'égard d'une vente à un autre producteur à moins que la vente n'ait lieu au moins 30 jours après l'entrée en vigueur du présent règlement.

11. (1) Si une demande de paiement par prélèvement sur le Fonds est présentée à l'égard d'une vente de bétail à un marchand, elle est présentée à la Commission au plus tard 30 jours après le premier en date des événements suivants :

1. Le paiement du marchand devient exigible.
2. Tout ou partie de l'actif du marchand est confié à un séquestre ou à un syndic pour être distribué en vertu de la *Loi sur la faillite et l'insolvabilité* (Canada) ou de la *Loi sur la vente en bloc*.
3. Le marchand cesse d'exercer ses activités.

(2) La demande est présentée à la Commission selon la formule qu'elle juge appropriée et si une réclamation vise plus d'un marchand, une demande distincte est présentée relativement à chacun d'eux.

12. (1) Si une demande de paiement par prélèvement sur le Fonds est présentée à l'égard d'une vente de bétail à un producteur, l'auteur de la demande avise promptement le directeur si le producteur n'effectue pas le paiement et la demande est présentée à la Commission au plus tard 30 jours après la date de la vente.

(2) La demande est présentée à la Commission selon la formule qu'elle juge appropriée et si une réclamation vise plus d'un producteur, une demande distincte est présentée relativement à chacun d'eux.

13. Compte tenu des circonstances d'un cas particulier, la Commission peut effectuer un paiement par prélèvement sur le Fonds si la demande de paiement est conforme, pour l'essentiel, au paragraphe 11 (1) ou 12 (1), selon le cas.

14. Sur réception d'une demande présentée aux termes de l'article 11 ou 12, la Commission avise le marchand ou le producteur, par courrier recommandé ou par messenger, de la réclamation ainsi que le directeur.

15. Si la Commission décide que tout ou partie d'une réclamation n'est pas valable, elle refuse de la payer et en avise l'auteur de la demande ainsi que le marchand ou le producteur concerné, par courrier recommandé ou par messenger, et elle avise aussi le directeur.

16. Si la Commission décide qu'une réclamation est valable, elle paie l'auteur de la demande et avise le marchand ou le producteur concerné ainsi que le directeur.

17. (1) Le marchand ou le producteur à l'égard duquel la Commission effectue un paiement rembourse le montant versé ou commence à le rembourser par versements échelonnés conformément à un engagement approuvé par la Commission.

(2) La Commission avise le directeur si le marchand ou le producteur ne rembourse pas le montant versé ou s'il n'effectue pas, à la date d'échéance, un des versements prévus.

18. (1) La Commission peut refuser de payer une réclamation visant un marchand dans les cas suivants :

1. La réclamation de l'auteur de la demande vise un marchand qui n'est pas un marchand titulaire d'un permis délivré en vertu de la *Loi sur le bétail et les produits du bétail*.
2. L'auteur de la demande présente un chèque à l'encaissement plus de cinq jours ouvrables après l'avoir reçu du marchand et le chèque fait l'objet d'un refus par défaut d'acceptation ou de paiement.
3. L'auteur de la demande ne présente pas sa demande dans le délai prescrit à l'article 11.
4. L'auteur de la demande conclut avec le marchand une entente qui reporte la date d'exigibilité du paiement.
5. L'auteur de la demande n'avise pas promptement le directeur du défaut de paiement.
6. Il serait inéquitable, dans les circonstances, de payer la réclamation en raison des liens qui existent entre l'auteur de la demande et le marchand et du fait que le comportement de l'auteur de la demande ou, lorsque celui-ci est une personne morale, celui d'un de ses dirigeants ou administrateurs ou le comportement d'une personne ayant le pouvoir d'en diriger la gestion, a causé le défaut de paiement.

(2) Lorsqu'elle exerce la discrétion que lui confère la disposition 1 du paragraphe (1), la Commission tient compte de la question de savoir si l'auteur de la demande savait ou non que le marchand, au moment de la vente, n'était pas titulaire d'un permis en raison de l'expiration, de la suspension, de l'annulation ou du refus de renouvellement de son permis.

19. La Commission peut refuser de payer une réclamation visant un producteur dans les cas suivants :

1. Sous réserve de la disposition 2, l'auteur de la demande soit ne reçoit aucun chèque à titre de paiement soit en reçoit un, mais ne le présente pas à l'encaissement avant 14 heures le deuxième jour ouvrable suivant la date de la vente et le chèque fait l'objet d'un refus par défaut d'acceptation ou de paiement.
2. Dans le cas d'une vente à une coopérative financière de bovins d'engraissement, l'auteur de la demande ne reçoit pas, à la date de la vente, une commande d'achat du membre de la coopérative pour le compte de laquelle l'achat est effectué et soit ne reçoit aucun chèque à titre de paiement soit en reçoit un, mais ne le présente pas à l'encaissement avant 14 heures le 10^e jour ouvrable suivant la date de la vente et le chèque fait l'objet d'un refus par défaut d'acceptation ou de paiement.
3. L'auteur de la demande ne présente pas sa demande dans le délai prescrit à l'article 12.
4. L'auteur de la demande n'avise pas promptement le directeur du défaut de paiement.
5. L'auteur de la demande est un producteur désigné comme tel en vertu de la disposition 2, 3 ou 4 du paragraphe 6 (1) et il ne convient pas par écrit de rembourser à la Commission le plein montant de toute somme qu'il peut recevoir de l'acheteur contre lequel il a fait la réclamation, jusqu'à concurrence du montant qui lui a été versé par prélèvement sur le Fonds.
6. Il serait inéquitable, dans les circonstances, de payer la réclamation en raison des liens qui existent entre le producteur et l'auteur de la demande et du fait que le comportement de ce dernier ou, lorsque celui-ci est une personne morale, celui d'un de ses dirigeants ou administrateurs ou le comportement d'une personne ayant le pouvoir d'en diriger la gestion, a causé le défaut de paiement.

20. Dans le cas d'une réclamation visant un marchand, la Commission paie par prélèvement sur le Fonds 90 pour cent du montant de la réclamation qu'elle reconnaît comme étant valable.

21. (1) Les règles suivantes régissent le paiement par prélèvement sur le Fonds de toute réclamation visant un producteur qui n'est pas une coopérative financière de bovins d'engraissement :

1. Aucun paiement ne doit être effectué si le montant de la réclamation que la Commission reconnaît comme étant valable s'élève à 5 000 \$ ou moins.
2. Le montant que la Commission doit verser correspond à 70 pour cent du montant de la réclamation qu'elle reconnaît comme étant valable ou à 75 000 \$, si ce dernier montant est inférieur.
3. Une fois que l'auteur de la demande a reçu un paiement à l'égard d'un producteur, il n'a droit à aucun autre paiement à l'égard de celui-ci tant que le producteur ne rembourse pas au Fonds le plein montant de la réclamation qui a été versé.

(2) Les règles suivantes régissent le paiement par prélèvement sur le Fonds de toute réclamation visant une coopérative financière de bovins d'engraissement :

1. Aucun paiement ne doit être effectué si le montant de la réclamation que la Commission reconnaît comme étant valable s'élève à 5 000 \$ ou moins.
2. Le montant que la Commission doit verser correspond à 70 pour cent du montant de la réclamation qu'elle reconnaît comme étant valable ou à 75 000 \$, si ce dernier montant est inférieur.
3. Une fois que l'auteur de la demande a reçu un paiement à l'égard d'une coopérative financière de bovins d'engraissement au nom d'un membre particulier, il n'a droit à aucun autre paiement à l'égard du membre de la coopérative tant que l'un ou l'autre ne rembourse pas au Fonds le plein montant de la réclamation qui a été versé.
- (3) La disposition 3 du paragraphe (2) n'a pas pour effet d'empêcher l'auteur de la demande de recevoir un paiement par prélèvement sur le Fonds à l'égard d'un autre membre de la coopérative financière de bovins d'engraissement.
- (4) La définition qui suit s'applique au présent article.

«réclamation» S'entend de ce qui suit :

- a) dans le cas d'un producteur qui n'est pas une coopérative financière de bovins d'engraissement, une demande de paiement à l'égard de toutes les ventes de bétail faites au producteur à un endroit particulier et à une date particulière;
- b) dans le cas d'une coopérative financière de bovins d'engraissement, une demande de paiement à l'égard de toutes les ventes de bétail faites à un membre particulier qui effectue l'achat sous l'autorité de la coopérative à un endroit particulier et à une date particulière.

26/06

ONTARIO REGULATION 302/06

made under the

DEAD ANIMAL DISPOSAL ACT

Made: June 7, 2006
 Filed: June 13, 2006
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 Printed in *The Ontario Gazette*: July 1, 2006

Amending Reg. 263 of R.R.O. 1990
 (General)

Note: Regulation 263 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Section 6 of Regulation 263 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

DISPOSAL OF DEAD ANIMALS

6. (1) In addition to the methods set out in subsection 3 (1) of the Act, the owner of a dead animal may dispose of it within 48 hours after its death,

- (a) by delivering it in a vehicle belonging to the owner to a laboratory for post mortem examination, investigation or loss adjustment;
- (b) by carrying out the composting of it on the owner's farm where the animal died or another farm owned by the owner, in accordance with subsection (2); or
- (c) by storing the dead animal and disposing of it in accordance with subsection (3).

(2) For purposes of composting, a dead animal must immediately be covered with at least 60 centimetres of sawdust or other biodegradable material that is high in carbon content.

(3) The owner of a dead animal may store it before disposing of it if,

- (a) within 48 hours of its death it is stored in a refrigerated or frozen state,
 - (i) at the owner's farm where the dead animal died,
 - (ii) at another farm owned by the owner of the dead animal, or

- (iii) at another farm, if the owner of that farm consents;
 - (b) it is kept stored in a refrigerated or frozen state at the location where it was originally stored under clause (a);
 - (c) it is stored for no longer than 14 days following its death if it is stored in a refrigerated state and no longer than 240 days following its death if it is stored in a frozen state;
 - (d) the owner of the dead animal ensures that it is stored in a manner so that it is hidden from view and protected from scavengers, vermin and decomposition; and
 - (e) immediately after it is removed from refrigerated or frozen storage, it is disposed of by,
 - (i) burying it with a covering of at least two feet of earth on the owner's farm where the animal died or another farm owned by the owner,
 - (ii) using the services of a person licensed as a collector under the Act,
 - (iii) delivering it, in a vehicle belonging to the owner of the dead animal, to a laboratory for post mortem examination, investigation or loss adjustment, or
 - (iv) carrying out the composting of it on the owner's farm where the animal died or another farm owned by the owner in accordance with subsection (2).
- (4) If a dead animal that is stored before disposal under subsection (3) becomes decomposed during storage, the owner shall immediately dispose of it by one of the methods referred to in clause (3) (e).

(5) For the purposes of subsection (3),

“frozen” means kept at a temperature of -18 degrees Celsius or less; (“congelé”)

“refrigerated” means kept at a temperature of 4 degrees Celsius or less. (“réfrigéré”)

- (6) The owner of a dead animal may transport it, in the owner's vehicle, from the owner's farm where the animal died to,
- (a) another farm owned by the owner of the dead animal to store it at that farm before disposal in accordance with subsection (3), or for disposal in accordance with this section;
 - (b) another farm described in subclause (3) (a) (iii) to store it at that farm before disposal in accordance with subclause (3) (e) (ii); or
 - (c) a common bin owned by a person licensed as a collector under the Act for collection by that collector.
- (7) If the owner of a dead animal places it in a common bin owned by a licensed collector as authorized under clause (6) (c), the dead animal is not considered disposed of under subsection 3 (1) of the Act until the licensed collector takes the dead animal from the common bin.

2. Subsection 7 (1) of the Regulation is revoked and the following substituted:

- (1) No person shall transport a dead animal in a vehicle unless,
 - (a) the vehicle has a marker issued by the Director affixed to the inside of the windshield and clearly visible to persons outside the vehicle;
 - (b) the vehicle is designed and equipped to prevent the leakage of liquids;
 - (c) the parts of the vehicle that come into contact with any dead animal have an impervious surface that will allow for repeated cleaning and sanitizing; and
 - (d) the vehicle is designed and equipped in such a manner so as to prevent dead animals from being visible to the public during transport.

3. Subsection 8 (1) of the Regulation is revoked and the following substituted:

- (1) No person shall transport a dead animal in such a manner that it is visible to the public during transport.

4. (1) The Regulation is amended by adding the following heading before section 9:

RECEIVING PLANTS AND RENDERING PLANTS

- (2) Clause 9 (1) (b) of the Regulation is amended by striking out “plan or” and substituting “plan and”.

5. Clause 17 (b) of the Regulation is revoked and the following substituted:

- (b) refrigeration of meats in storage where the meat is being processed in the manner described in section 20; and

6. Section 18 of the Regulation is revoked and the following substituted:

18. (1) Subject to subsection (3), all entrails, bones, waste meat and refuse of dead animals delivered to a receiving plant shall be disposed of by,

- (a) delivering it to a rendering plant;
- (b) burying it with a covering of at least two feet of earth; or
- (c) delivering it to a facility that is approved under the *Environmental Protection Act* to receive and process this material.

(2) Subject to subsection (3), all entrails, bones, waste meat and refuse of dead animals delivered to a rendering plant shall be disposed of by,

- (a) sterilizing it by means of heat;
- (b) burying it with a covering of at least two feet of earth; or
- (c) delivering it to a facility that is approved under the *Environmental Protection Act* to receive and process this material.

(3) The operator of a receiving plant or rendering plant may dispose of the contents of the digestive tracts of dead animals, which are not disposed of in one of the methods set out in subsections (1) and (2), in another sanitary manner.

(4) An operator of a receiving plant shall not dispose of the entire carcass of a dead animal except by one of the methods described in subsection (1).

(5) An operator of a rendering plant shall not dispose of the entire carcass of a dead animal except by one of the methods described in subsection (2).

(6) If an operator of a receiving plant or a rendering plant is approved under the *Environmental Protection Act* to receive and process material described in subsections (1), (2), (4) and (5) and processes the material in accordance with that approval, the operator is deemed to have met the criteria set out in clause (1) (c) or (2) (c), as the case may be.

(7) Except as provided in this Regulation, no person shall take delivery of, receive or process the entrails, bones, waste meat or refuse of dead animals unless such entrails, bones, waste meat or refuse have been sterilized by means of heat at a rendering plant.

7. Subsection 20 (1) of the Regulation is amended by striking out the portion before clause (a) and substituting the following:

(1) If the operator of a receiving plant or rendering plant is processing a dead animal to obtain meat from it, the operator shall, within 24 hours of receipt of the dead animal or, if the dead animal is frozen, within 24 hours of thawing,

8. Section 22 of the Regulation is revoked.

RÈGLEMENT DE L'ONTARIO 302/06

pris en application de la

LOI SUR LES CADAVRES D'ANIMAUX

pris le 7 juin 2006

déposé le 13 juin 2006

publié sur le site Lois-en-ligne le 15 juin 2006

imprimé dans la *Gazette de l'Ontario* le 1^{er} juillet 2006

modifiant le Règl. 263 des R.R.O. de 1990

(Dispositions générales)

Remarque : Le Règlement 263 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des règlements qui se trouve sur le site www.lois-en-ligne.gouv.on.ca.

1. L'article 6 du Règlement 263 des Règlements refondus de l'Ontario de 1990 est abrogé et remplacé par ce qui suit :

DISPOSITION DES CADAVRES D'ANIMAUX

6. (1) Outre les méthodes énoncées au paragraphe 3 (1) de la Loi, le propriétaire d'un cadavre d'animal peut s'en défaire dans les 48 heures qui suivent la mort de l'animal :

- a) soit en le livrant, dans un véhicule lui appartenant, à un laboratoire à des fins d'autopsie, d'enquête ou de règlement de sinistres;
 - b) soit en procédant à son compostage à sa ferme où l'animal est mort ou à une autre ferme lui appartenant, conformément au paragraphe (2);
 - c) soit en entreposant le cadavre d'animal et en s'en défaire conformément au paragraphe (3).
- (2) Aux fins du compostage, un cadavre d'animal doit être immédiatement couvert de 60 centimètres ou plus de bran de scie ou d'une autre matière biodégradable à teneur élevée en carbone.
- (3) Le propriétaire d'un cadavre d'animal peut l'entreposer avant de s'en défaire si les conditions suivantes sont réunies :
- a) dans les 48 heures qui suivent la mort de l'animal, il est entreposé à l'état réfrigéré ou congelé :
 - (i) soit à la ferme du propriétaire où l'animal est mort,
 - (ii) soit à une autre ferme appartenant au propriétaire,
 - (iii) soit à une autre ferme, si le propriétaire de celle-ci y consent;
 - b) il est conservé à l'état réfrigéré ou congelé à l'emplacement où il a été entreposé initialement en application de l'alinéa a);
 - c) il est entreposé pour une période maximale de 14 jours après la mort de l'animal, s'il est entreposé à l'état réfrigéré, et pour une période maximale de 240 jours après la mort de l'animal, s'il est entreposé à l'état congelé;
 - d) le propriétaire veille à ce qu'il soit entreposé de manière à le dissimuler et le protéger des charognards et de la vermine ainsi qu'à en empêcher la décomposition;
 - e) immédiatement après l'avoir retiré de l'emplacement où il a été entreposé à l'état réfrigéré ou congelé, le propriétaire s'en défait, selon le cas :
 - (i) en l'enfouissant sous deux pieds de terre ou plus à sa ferme où l'animal est mort ou à une autre ferme lui appartenant,
 - (ii) en faisant appel aux services d'un titulaire de permis de ramasseur délivré en vertu de la Loi,
 - (iii) en le livrant, dans un véhicule lui appartenant, à un laboratoire à des fins d'autopsie, d'enquête ou de règlement de sinistres,
 - (iv) en procédant à son compostage à sa ferme où l'animal est mort ou à une autre ferme lui appartenant, conformément au paragraphe (2).
- (4) Si un cadavre d'animal qui est entreposé avant sa disposition conformément au paragraphe (3) se décompose pendant l'entreposage, son propriétaire s'en défait immédiatement selon l'une des méthodes prévues à l'alinéa (3) e).
- (5) Les définitions qui suivent s'appliquent pour l'application du paragraphe (3).
- «congelé» Conservé à une température de -18 degrés Celsius ou moins. («frozen»)
- «réfrigéré» Conservé à une température de 4 degrés Celsius ou moins. («refrigerated»)
- (6) Le propriétaire d'un cadavre d'animal peut le transporter, dans son véhicule, de sa ferme où l'animal est mort à, selon le cas :

- a) une autre ferme lui appartenant pour l'entreposer à cette ferme avant de s'en défaire conformément au paragraphe (3) ou pour s'en défaire conformément au présent article;
- b) une autre ferme visée au sous-alinéa (3) a) (iii) pour l'entreposer à cette ferme avant de s'en défaire conformément au sous-alinéa (3) e) (ii);
- c) un conteneur commun appartenant à un titulaire de permis de ramasseur délivré en vertu de la Loi en vue du ramassage par ce dernier.

(7) Le propriétaire d'un cadavre d'animal qui place celui-ci dans un conteneur commun appartenant à un titulaire de permis de ramasseur comme l'autorise l'alinéa (6) c) n'est pas considéré comme s'en étant défait en application du paragraphe 3 (1) de la Loi tant que le titulaire de permis de ramasseur ne l'en a pas retiré.

2. Le paragraphe 7 (1) du Règlement est abrogé et remplacé par ce qui suit :

- (1) Nul ne doit transporter un cadavre d'animal dans un véhicule, à moins que celui-ci ne remplisse les conditions suivantes :
- a) il porte une marque d'identification délivrée par le directeur, posée à l'intérieur du pare-brise de façon à ce que les personnes en dehors du véhicule puissent la voir clairement;

- b) il est conçu et équipé de façon à empêcher la fuite de liquides;
- c) ses parties qui entrent en contact avec les cadavres d'animaux ont une surface imperméable capable de résister à un nettoyage et un assainissement répétés;
- d) il est conçu et équipé de façon à dissimuler les cadavres d'animaux à la vue du public pendant le transport.

3. Le paragraphe 8 (1) du Règlement est abrogé et remplacé par ce qui suit :

- (1) Nul ne doit transporter un cadavre d'animal de manière à l'exposer à la vue du public pendant le transport.

4. (1) Le Règlement est modifié par adjonction de l'intertitre suivant avant l'article 9 :

USINES D'ÉQUARRISSAGE ET FONDOIRS

(2) L'alinéa 9 (1) b) du Règlement est modifié par substitution de «plan et» à «plan ou».

5. L'alinéa 17 b) du Règlement est abrogé et remplacé par ce qui suit :

- b) réfrigérer les viandes entreposées lorsque la viande est transformée de la manière énoncée à l'article 20;

6. L'article 18 du Règlement est abrogé et remplacé par ce qui suit :

18. (1) Sous réserve du paragraphe (3), la disposition des entrailles, os, viandes résiduelles et déchets de cadavres d'animaux livrés à une usine d'équarrissage s'effectue selon l'une ou l'autre des méthodes suivantes :

- a) en les livrant à un fondoir;
- b) en les enfouissant sous deux pieds de terre ou plus;
- c) en les livrant à une installation autorisée comme lieu de réception et de transformation de ces matières en vertu de la *Loi sur la protection de l'environnement*.

(2) Sous réserve du paragraphe (3), la disposition des entrailles, os, viandes résiduelles et déchets de cadavres d'animaux livrés à un fondoir s'effectue selon l'une ou l'autre des méthodes suivantes :

- a) en les stérilisant au moyen de la chaleur;
- b) en les enfouissant sous deux pieds de terre ou plus;
- c) en les livrant à une installation autorisée comme lieu de réception et de transformation de ces matières en vertu de la *Loi sur la protection de l'environnement*.

(3) L'exploitant d'une usine d'équarrissage ou d'un fondoir peut se défaire du contenu de l'appareil digestif de cadavres d'animaux dont il ne s'est pas défait selon l'une des méthodes prévues aux paragraphes (1) et (2) en ayant recours à une autre méthode sanitaire.

(4) L'exploitant d'une usine d'équarrissage ne doit pas se défaire de la carcasse entière d'un cadavre d'animal si ce n'est selon l'une des méthodes énoncées au paragraphe (1).

(5) L'exploitant d'un fondoir ne doit pas se défaire de la carcasse entière d'un cadavre d'animal si ce n'est selon l'une des méthodes énoncées au paragraphe (2).

(6) L'exploitant d'une usine d'équarrissage ou d'un fondoir qui est autorisé en vertu de la *Loi sur la protection de l'environnement* à recevoir et à transformer les matières visées aux paragraphes (1), (2), (4) et (5) et qui transforme celles-ci conformément à cette autorisation est réputé avoir répondu au critère énoncé à l'alinéa (1) c) ou (2) c), selon le cas.

(7) Sauf disposition contraire du présent règlement, nul ne doit réceptionner des entrailles, os, viandes résiduelles ou déchets de cadavres d'animaux, les recevoir ni les transformer, à moins que ces entrailles, os, viandes résiduelles ou déchets n'aient été stérilisés au moyen de la chaleur dans un fondoir.

7. Le paragraphe 20 (1) du Règlement est modifié par substitution de ce qui suit au passage qui précède l'alinéa a) :

(1) L'exploitant d'une usine d'équarrissage ou d'un fondoir qui transforme un cadavre d'animal pour en obtenir de la viande fait ce qui suit dans les 24 heures de sa réception ou, s'il est congelé, dans les 24 heures de sa décongélation :

8. L'article 22 du Règlement est abrogé.

ONTARIO REGULATION 303/06
made under the
NORTHERN SERVICES BOARDS ACT

Made: June 8, 2006
Filed: June 13, 2006
Published on e-Laws: June 14, 2006
Printed in *The Ontario Gazette*: July 1, 2006

Amending Reg. 737 of R.R.O. 1990
(Local Services Boards)

Note: Regulation 737 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Sections 1, 7, 8, 10, 11, 18, 27, 27.2, 28, 31, 34, 37, 42 and 51 of Regulation 737 of the Revised Regulations of Ontario, 1990 are revoked.

Made by:

RICK BARTOLUCCI
Minister of Northern Development and Mines

Date made: June 8, 2006.

26/06

ONTARIO REGULATION 304/06
made under the
NORTHERN SERVICES BOARDS ACT

Made: June 8, 2006
Filed: June 13, 2006
Published on e-Laws: June 14, 2006
Printed in *The Ontario Gazette*: July 1, 2006

ORDER FOR DISSOLUTION — LOCAL SERVICES BOARD OF MARTER

Dissolution of Board, Board area

1. The Local Services Board of Marter and the Board area are hereby dissolved under section 32 of the Act.

Assets transferred to Ministry

2. The Board's assets are transferred in trust to the Ministry of Northern Development and Mines to be disposed of by sale.

Ministry powers

3. (1) The Ministry has general supervision of the Board's assets and the power to do anything reasonably necessary to implement this order effectively, including,

- (a) identifying, seizing and disposing of the Board's assets;
- (b) using the proceeds of the sale of assets to make the payments listed in subsection (2);
- (c) appointing an agent or trustee to implement the order;

(d) doing anything else necessary to wind up the Board's affairs and activities.

(2) The proceeds mentioned in clause (1) (b) shall be used to pay the following, in the following order:

1. The agent or trustee, if any, for costs incurred in dealing with the assets.
2. The Board's creditors for any outstanding debts owed.
3. The Ministry's costs in implementing this order.

(3) For the purposes of subsection (1), all Board documents, records, and files, including minute books, bank account records and other financial books and records, shall be turned over to the Ministry upon request.

Publication

4. The Ministry shall publish an invitation to creditors of the Board to inform the Ministry of any claims or debts,

- (a) in the Northern News (Kirkland Lake and New Liskeard);
- (b) in the Temiskaming Speaker; and
- (c) in local newspapers in other communities, as may be considered appropriate.

Records and files to be kept

5. The records and files of the Board shall be kept by the Ministry for at least seven years from the date of this order.

Made by:

RICK BARTOLUCCI
Minister of Northern Development and Mines

Date made: June 8, 2006.

26/06

ONTARIO REGULATION 305/06
made under the
NORTHERN SERVICES BOARD ACT

Made: June 8, 2006
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Printed in *The Ontario Gazette*: July 1, 2006

Amending Reg. 737 of R.R.O. 1990
(Local Services Boards)

Note: Regulation 737 has previously been amended. Those amendments are listed in the Table of Regulations Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Section 32 of Regulation 737 of the Revised Regulations of Ontario, 1990 is revoked.
2. The Regulation is amended by adding the following section:

MELGUND

33. (1) A Local Services Board is established under the name "The Local Services Board of Melgund".

(2) The boundaries of the Board area are all land in the Territorial District of Kenora composed of the geographic Township of Melgund.

(3) The Board shall be composed of three members.

(4) The Board may exercise the powers set out in paragraph 6 of the Schedule to the Act.

Made by:

RICK BARTOLUCCI
Minister of Northern Development and Mines

Date made: June 8, 2006.

26/06

ONTARIO REGULATION 306/06

made under the

ANATOMY ACT

Made: June 7, 2006

Filed: June 14, 2006

Published on e-Laws: June 15, 2006

Printed in *The Ontario Gazette*: July 1, 2006

Amending Reg. 21 of R.R.O. 1990
(General)

Note: Regulation 21 has previously been amended. Those amendments are listed in the Table of Regulations — Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Section 1 of Regulation 21 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

1. The following are designated as schools for the purposes of the Act:

1. Queen's University — Department of Anatomy and Cell Biology.
2. University of Ottawa — Department of Cellular & Molecular Medicine.
3. University of Toronto — Division of Anatomy, Department of Surgery, Faculty of Medicine.
4. University of Western Ontario — Department of Anatomy and Cell Biology.
5. Canadian Memorial Chiropractic College — Department of Anatomy.
6. University of Guelph — Department of Human Health and Nutritional Sciences.
7. McMaster University — Educational Programme in Anatomy.
8. University of Waterloo — Section of Human Anatomy.
9. Humber College Institute of Technology and Advanced Learning.
10. Northern Ontario School of Medicine.

RÈGLEMENT DE L'ONTARIO 306/06

pris en application de la

LOI SUR L'ANATOMIE

pris le 7 juin 2006
déposé le 14 juin 2006
publié sur le site Lois-en-ligne le 15 juin 2006
imprimé dans la *Gazette de l'Ontario* le 1^{er} juillet 2006

modifiant le Règl. 21 des R.R.O. de 1990
(Dispositions générales)

Remarque : Le Règlement 21 a été modifié antérieurement. Ces modifications sont indiquées dans le Sommaire de l'historique législatif des règlements qui se trouve sur le site www.lois-en-ligne.gouv.on.ca.

1. L'article 1 du Règlement 21 des Règlements refondus de l'Ontario de 1990 est abrogé et remplacé par ce qui suit :

1. Les établissements suivants sont désignés comme écoles pour l'application de la Loi :
1. L'Université Queen's — département d'anatomie et de biologie cellulaire.
2. L'Université d'Ottawa — département de médecine cellulaire et moléculaire.
3. L'Université de Toronto — division d'anatomie, département de chirurgie, faculté de médecine.
4. L'Université de Western Ontario — département d'anatomie et de biologie cellulaire.
5. Le Canadian Memorial Chiropractic College — département d'anatomie.
6. L'Université de Guelph — département de la santé humaine et des sciences de la nutrition.
7. L'Université McMaster — programme d'éducation en anatomie.
8. L'Université de Waterloo — section d'anatomie humaine.
9. Le Collège Humber de technologie et d'enseignement supérieur.
10. L'École de médecine du Nord de l'Ontario.

26/06

ONTARIO REGULATION 307/06

made under the

HIGHWAY TRAFFIC ACT

Made: May 15, 2006
Filed: June 14, 2006
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Amending Reg. 631 of R.R.O. 1990
(Yield Right-of-Way Signs in Territory Without Municipal Organization)

Note: Regulation 631 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

- 1. Regulation 631 of the Revised Regulations of Ontario, 1990 is amended by adding the following Schedule:**

SCHEDULE 15

1. The highway known as E101-B Road in the unorganized Township of Haines in the Territorial District of Thunder Bay at its intersection with the roadway known as Kabaigon Road.
2. Northbound on E101-B Road.

Made by:

HARINDER JEET SINGH TAKHAR
Minister of Transportation

Date made: May 15, 2006.

26/06

ONTARIO REGULATION 308/06

made under the

HEALTH PROTECTION AND PROMOTION ACT

Made: May 30, 2006
Filed: June 15, 2006
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Printed in *The Ontario Gazette*: July 1, 2006

Amending Reg. 562 of R.R.O. 1990
(Food Premises)

Note: Regulation 562 has previously been amended. Those amendments are listed in the [Table of Regulations – Legislative History Overview](#) which can be found at www.e-Laws.gov.on.ca.

1. Subsection 1 (1) of Regulation 562 of the Revised Regulations of Ontario, 1990 is amended by adding the following definitions:

“farmers’ market” means a central location at which a group of persons who operate stalls or other food premises meet to sell or offer for sale to consumers products that include, without being restricted to, farm products, baked goods and preserved foods, and at which the majority of the persons operating the stalls or other food premises are producers of farm products who are primarily selling or offering for sale their own products;

“farmers’ market food vendor” means the operator of a stall or other food premise that is located at a farmers’ market;

“farm products” means products that are grown, raised or produced on a farm and intended for use as food and include, without being restricted to, fruits and vegetables, mushrooms, meat and meat products, dairy products, honey products, maple products, fish, grains and seeds and grain and seed products;

2. (1) Subsection 2 (1) of the Regulation is amended by striking out “and” at the end of clause (b) and by revoking clause (c) and substituting the following:

(c) food premises owned, operated or leased by religious organizations, service clubs and fraternal organizations where the religious organization, service club or fraternal organization,

(i) prepares and serves meals for special events, and

(ii) conducts bake sales; and

(d) farmers’ market food vendors.

(2) Section 2 of the Regulation is amended by adding the following subsection:

(3) The exemption provided for in clause (1) (c) is subject to the conditions set out in paragraphs 1 and 2 if a religious organization, service club or fraternal organization mentioned in that clause prepares and serves meals for a special event to which the general public is invited, and hazardous food that originates from a food premise that is not inspected under this Regulation is included in such a meal:

1. Patrons attending the special event shall be notified in writing as to whether or not the food premise has been inspected in accordance with this Regulation. The notice shall be posted in a conspicuous place at the entrance to the food premise at which the special event meal is held.
2. The operator must keep a list of all persons who donate hazardous food for the special event meal and must provide a copy of that list to a public health inspector on request. The list must contain each donor's name, address and telephone number in full.

26/06

ONTARIO REGULATION 309/06

made under the

HIGHWAY TRAFFIC ACT

Made: May 15, 2006

Filed: June 16, 2006

Published on e-Laws: June 19, 2006

Printed in *The Ontario Gazette*: July 1, 2006

Amending Reg. 604 of R.R.O. 1990
(Parking)

Note: Regulation 604 has previously been amended. Those amendments are listed in the [Table of Regulations – Legislative History Overview](#) which can be found at www.e-Laws.gov.on.ca.

1. Appendix B to Regulation 604 of the Revised Regulations of Ontario, 1990 is amended by adding the following Schedule:

SCHEDULE 14 HIGHWAY NO. 6

| | Column 1 | Column 2 | Column 3 | Column 4 |
|----|---|--|------------------------------|----------------|
| | Highway | Limits | Period | Maximum Period |
| 1. | West side of Highway No. 6 in the Town of South Baymouth in the Township of Tehkummah in the Territorial District of Manitoulin | Between a point situate at its intersection with the northerly limit of the roadway known as Water Street and a point situate at its intersection with the southerly limit of the roadway known as Jon Bud Park. | From 10:00 p.m. to 6:00 a.m. | No Parking |

Made by:

HARINDER JEET SINGH TAKHAR
Minister of Transportation

Date made: May 15, 2006.

26/06

ONTARIO REGULATION 310/06

made under the

ONTARIO ENERGY BOARD ACT, 1998

Made: June 14, 2006

Filed: June 16, 2006

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Printed in *The Ontario Gazette*: July 1, 2006

Amending O. Reg. 578/05

(Prescribed Contracts re Sections 78.3 and 78.4 of the Act)

Note: Ontario Regulation 578/05 has previously been amended. Those amendments are listed in the Table of Regulations — Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Section 1 of Ontario Regulation 578/05 is amended by striking out “subsection 25.32 (4)” and substituting “section 25.32”.

2. The Regulation is amended by adding the following section:

Rule re amended or replace contracts

3.1 For the purposes of subsection 78.4 (1) of the Act, the IESO shall make payments to the OPA with respect to amounts paid or payable by the OPA to an entity with whom the OPA has entered into a procurement contract that satisfies one of the following rules:

1. A contract that is listed in Table 1, 2 or 5 that is amended.
2. A contract that replaces a contract that is listed in Table 1, 2 or 5.

3. Section 4 of the Regulation is amended by adding the following paragraphs:

5. Contracts that are entered into by the OPA pursuant to a direction by the Minister made under section 25.32 of the *Electricity Act, 1998* dated June 15, 2005, entitled “Immediate Launch of Procurement Processes to address needs in Downtown Toronto, Western Greater Toronto Area, and to develop additional Demand Management, Demand Response and High Efficiency Combined Heat and Power Supply” and the addendum dated February 9, 2006, entitled “Addendum #1 to Procurement Processes Directive of June 15, 2005”.
6. Contracts that are entered into by the OPA pursuant to a direction by the Minister under subsection 25.32 (4) of the *Electricity Act, 1998* dated February 10, 2006, entitled “Toronto Reliability Supply and Conservation Initiative”.
7. Contracts that are entered into by the OPA pursuant to a direction by the Minister made under section 25.32 of the *Electricity Act, 1998* dated March 21, 2006, entitled “Standard Offer Program”.

4. Table 1 of the Regulation is amended by adding the following items:

| | | | | |
|-----|---|-------------------|---|---|
| 11. | Yellow Falls Power Limited Partnership | November 21, 2005 | Island Falls Hydroelectric Project | Bradburn Township, near Smooth Rock Falls, Ontario |
| 12. | Kruger Energy Port Alma Limited Partnership | November 21, 2005 | Kruger Energy Port Alma | Municipality of Chatham Kent, near Port Alma, Ontario |
| 13. | Enbridge Ontario Wind Power LP or Leader Wind Corp. | November 21, 2005 | Leader Wind Power Project – A 100.65 MW | Bruce County, Municipality of Kincardine & Town of Saugeen Shores, Town of Underwood, Ontario |
| 14. | Enbridge Ontario Wind Power LP or Leader Wind Corp. | November 21, 2005 | Leader Wind Power Project – B 99 MW | Bruce County, Municipality of Kincardine & Town of Saugeen Shores, Town of Underwood, Ontario |
| 15. | Brookfield Power Inc. & Brookfield Energy Marketing Inc. [formerly, Brascan Power Wind — Princee II LP] | November 21, 2005 | Princee II Wind Power Project | Townships of Dennis, Pennefather, Korah and Aweres, near Algoma, Ontario |
| 16. | EPCOR Power Development (Ontario) Limited Partnership | November 21, 2005 | Kingsbridge II Wind Power Project | Ashfield Ward, Ashfield Colborne Wawanosh Township, Huron County, Ontario |

| | | | | |
|-----|---|-------------------|----------------------------|---|
| 17. | Suncor Energy Products Inc. and Acciona Wind Energy Canada Inc [formerly, EHN Wind Power Canada Inc.] | November 21, 2005 | Ripley Wind Power Project | Township of Huron-Kinloss near Ripley, Ontario |
| 18. | Canadian Hydro Developers, Inc. | November 21, 2005 | Melancthon II Wind Project | Melancthon and Amaranth Townships, near Shelburne, Ontario. |
| 19. | Canadian Renewable Energy Corporation | November 21, 2005 | Wolfe Island Wind Project | Township of Frontenac Islands, near Kingston, Ontario |

26/06

ONTARIO REGULATION 311/06

made under the

PLACES TO GROW ACT, 2005

Made: June 15, 2006

Filed: June 16, 2006

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Printed in *The Ontario Gazette*: July 1, 2006

TRANSITIONAL MATTERS — GROWTH PLAN FOR THE GREATER GOLDEN HORSESHOE, 2006

Definitions

1. (1) In this Regulation,

“approval authority” means the applicable approval authority under the *Planning Act*; (“autorité approbatrice”)

“joint board” means a joint board under the *Consolidated Hearings Act*; (“commission mixte”)

“matter” includes an application, proceeding and request; (“affaire”)

“Plan” means the Growth Plan for the Greater Golden Horseshoe, 2006, approved under subsection 7 (6) of the Act on June 7, 2006 to come into effect on June 16, 2006. (“Plan”)

(2) As described in subsection 8 (1) of the Act, copies of the Plan are available in the offices of the Ministry of Public Infrastructure Renewal, in the offices of the Ministry of Municipal Affairs and Housing, with the clerk of each municipality and with the secretary-treasurer of each municipal planning authority and planning board having jurisdiction in the area covered by the Plan.

Deemed day of commencement

2. For the purposes of this Regulation, a matter is deemed to have been commenced,

- (a) in the case of a request for an official plan amendment, on the day the request is received;
- (b) in the case of an official plan, an amendment to it or a repeal of it, on the day the by-law adopting the plan, amendment or repeal is passed;
- (c) in the case of a zoning by-law or an amendment to it, on the day the by-law is passed;
- (d) in the case of an application for an amendment to a zoning by-law, on the day the application is made;
- (e) in the case of an application for an approval of development in a site plan control area under subsection 41 (4) of the *Planning Act*, on the day the application is made;
- (f) in the case of an application for a minor variance under section 45 of the *Planning Act*, on the day the application is made;
- (g) in the case of an application to amend or revoke an order under section 47 of the *Planning Act*, on the day the application is made;
- (h) in the case of an application for the approval of a plan of subdivision under section 51 of the *Planning Act* or an application for the approval of, or an exemption from an approval of, a condominium under section 9 of the *Condominium Act, 1998*, on the day the application is made; and

- (i) in the case of an application for a consent under section 53 of the *Planning Act*, on the day the application is made.

Transition rules

3. (1) A matter that is described in clause 2 (a) or (b) and commenced before June 16, 2006 shall be continued and disposed of as set out in sections 4 and 5, subject to subsections (2) and (3).

(2) A matter that is described in clause 2 (a) or (b) and commenced before June 16, 2006 shall be continued and disposed of as if the Plan had not come into effect if, on that date, the Ontario Municipal Board or a joint board has completed its hearing of the matter but reserved its final decision.

(3) A matter that is described in clause 2 (a) or (b) and commenced before June 16, 2006 shall be continued and disposed of in accordance with the Plan if,

- (a) the matter is revised on or after June 16, 2006 during consideration by the Ontario Municipal Board or a joint board; and
- (b) the effect of the revision is that,
 - (i) any amount of land would be added to an area of settlement, or
 - (ii) a new area of settlement of any size would be designated.

(4) A matter that is described in any of clauses 2 (c) to (i) and commenced before June 16, 2006 shall be continued and disposed of as if the Plan had not come into effect.

(5) A matter that is described in section 2 and commenced on or after June 16, 2006 shall be continued and disposed of in accordance with the Plan.

Requests for official plan amendments

4. (1) A request for an official plan amendment that is commenced before June 16, 2006 shall be continued and disposed of in accordance with the Plan if,

- (a) the amendment would add 300 or more hectares to an area of settlement; and
- (b) on June 16, 2006, the request has not been approved by the approval authority.

(2) A request for an official plan amendment that is commenced before June 16, 2006 shall be continued and disposed of in accordance with the Plan, except policy 2.2.8, if,

- (a) the amendment would add 300 or more hectares to an area of settlement;
- (b) on June 16, 2006, the request has been approved by the approval authority; and
- (c) a notice of appeal is filed during the time for doing so and is not withdrawn.

(3) A matter to which subsection (1) or (2) would otherwise apply shall be continued and disposed of as if the Plan had not come into effect, if any part of the land that would be added to an area of settlement is the subject-matter of an application, matter or proceeding that is prescribed for the purposes of subsection 24 (3) of the *Greenbelt Act, 2005*.

(4) When a matter to which subsection (1) or (2) applies is revised on or after June 16, 2006, subsection (1) or (2), as the case may be, continues to apply if the effect of the revision is that,

- (a) any amount of land would be added to an area of settlement; or
- (b) a new area of settlement of any size would be designated.

(5) When a matter to which subsection (1) or (2) would apply, except that the amount of land to be added to an area of settlement is less than 300 hectares, is revised on or after June 16, 2006, the matter shall be continued and disposed of in accordance with the Plan if the effect of the revision is that 300 or more hectares would be added to an area of settlement.

Municipal initiatives re official plans

5. (1) Subsection (2) applies when a municipality commences,

- (a) an official plan;
- (b) an amendment to all or part of its official plan; or
- (c) a repeal of all or part of its official plan.

(2) A matter that is described in subsection (1), is commenced before June 16, 2006 and would add 300 or more hectares to an area of settlement shall be continued and disposed of in accordance with the Plan, except policy 2.2.8.

(3) A matter to which subsection (2) would otherwise apply shall be continued and disposed of as if the Plan had not come into effect, if any part of the land that would be added to an area of settlement is the subject-matter of an application, matter or proceeding that is prescribed for the purposes of subsection 24 (3) of the *Greenbelt Act, 2005*.

(4) When a matter to which subsection (2) applies is revised on or after June 16, 2006, that subsection continues to apply if the effect of the revision is that,

- (a) any amount of land would be added to an area of settlement; or
- (b) a new area of settlement of any size would be designated.

(5) When a matter to which subsection (2) would apply, except that the amount of land to be added to an area of settlement is less than 300 hectares, is revised on or after June 16, 2006, the matter shall be continued and disposed of in accordance with the Plan, if the effect of the revision is that 300 or more hectares would be added to an area of settlement.

Commencement

6. This Regulation comes into force on June 16, 2006.

RÈGLEMENT DE L'ONTARIO 311/06

pris en application de la

LOI DE 2005 SUR LES ZONES DE CROISSANCE

pris le 15 juin 2006
déposé le 16 juin 2006
publié sur le site Lois-en-ligne le 19 juin 2006
imprimé dans la *Gazette de l'Ontario* le 1^{er} juillet 2006

QUESTIONS TRANSITOIRES — PLAN DE CROISSANCE POUR LA RÉGION ÉLARGIE DU GOLDEN HORSESHOE, 2006

Définitions

1. (1) Les définitions qui suivent s'appliquent au présent règlement :

«*affaire*» S'entend notamment d'une demande et d'une procédure. («*matter*»)

«*autorité approbatrice*» L'autorité approbatrice compétente en application de la *Loi sur l'aménagement du territoire* («*approval authority*»)

«*commission mixte*» S'entend au sens de la *Loi sur la jonction des audiences*. («*joint board*»)

«*Plan*» S'entend du document intitulé «Plan de croissance pour la région élargie du Golden Horseshoe, 2006», approuvé en vertu du paragraphe 7 (6) de la Loi le 7 juin 2006, qui entre en vigueur le 16 juin 2006. («*Plan*»)

(2) Comme le prévoit le paragraphe 8 (1) de la Loi, des copies du Plan sont disponibles dans les bureaux du ministère du Renouvellement de l'infrastructure publique et dans ceux du ministère des Affaires municipales et du Logement ainsi qu'auprès du secrétaire de chaque municipalité et du secrétaire-trésorier de chaque office d'aménagement municipal et conseil d'aménagement qui a compétence dans la zone visée par le Plan.

Assimilation à la date d'introduction

2. Pour l'application du présent règlement, une affaire est réputée avoir été introduite :

- a) dans le cas d'une demande de modification d'un plan officiel, le jour de sa réception;
- b) dans le cas d'un plan officiel, de sa modification ou de son abrogation, le jour de l'adoption du règlement municipal qui porte adoption, modification ou abrogation de ce plan;
- c) dans le cas d'un règlement municipal de zonage ou de sa modification, le jour de l'adoption du règlement municipal;
- d) dans le cas d'une demande de modification d'un règlement municipal de zonage, le jour de sa présentation;
- e) dans le cas d'une demande d'approbation d'une exploitation dans une zone de réglementation du plan d'implantation présentée en application du paragraphe 41 (4) de la *Loi sur l'aménagement du territoire*, le jour de sa présentation;
- f) dans le cas d'une demande de dérogation mineure présentée en application de l'article 45 de la *Loi sur l'aménagement du territoire*, le jour de sa présentation;
- g) dans le cas d'une demande de modification ou de révocation d'un arrêté pris en vertu de l'article 47 de la *Loi sur l'aménagement du territoire*, le jour de sa présentation;
- h) dans le cas d'une demande d'approbation d'un plan de lotissement présentée en application de l'article 51 de la *Loi sur l'aménagement du territoire*, ou d'une demande d'approbation ou d'exemption d'approbation d'un condominium présentée en application de l'article 9 de la *Loi de 1998 sur les condominiums*, le jour de sa présentation;

- i) dans le cas d'une demande d'autorisation présentée en application de l'article 53 de la *Loi sur l'aménagement du territoire*, le jour de sa présentation.

Dispositions transitoires : règles

3. (1) Sous réserve des paragraphes (2) et (3), l'affaire visée à l'alinéa 2 a) ou b) qui est introduite avant le 16 juin 2006 est poursuivie et décidée conformément aux articles 4 et 5.

(2) L'affaire visée à l'alinéa 2 a) ou b) qui est introduite avant le 16 juin 2006 est poursuivie et décidée comme si le Plan n'était pas entré en vigueur, si, à cette date, la Commission des affaires municipales de l'Ontario ou une commission mixte a terminé ses audiences la concernant mais a différé sa décision définitive.

(3) L'affaire visée à l'alinéa 2 a) ou b) qui est introduite avant le 16 juin 2006 est poursuivie et décidée conformément au Plan si :

- a) d'une part, elle est révisée le 16 juin 2006 ou après cette date au cours de son examen par la Commission des affaires municipales de l'Ontario ou par une commission mixte;
- b) d'autre part, la révision a pour effet :
 - i) soit d'ajouter un bien-fonds de quelque superficie que ce soit à une zone de peuplement,
 - ii) soit de désigner une nouvelle zone de peuplement de quelque superficie que ce soit.

(4) L'affaire visée à l'un des alinéas 2 c) à i) qui est introduite avant le 16 juin 2006 est poursuivie et décidée comme si le Plan n'était pas entré en vigueur.

(5) L'affaire visée à l'article 2 qui est introduite le 16 juin 2006 ou après cette date est poursuivie et décidée conformément au Plan.

Demandes de modification d'un plan officiel

4. (1) La demande de modification d'un plan officiel introduite avant le 16 juin 2006 est poursuivie et décidée conformément au Plan si les conditions suivantes sont réunies :

- a) la modification ajoute au moins 300 hectares à une zone de peuplement;
- b) l'autorité approbatrice n'a pas encore approuvé la demande le 16 juin 2006.

(2) La demande de modification d'un plan officiel introduite avant le 16 juin 2006 est poursuivie et décidée conformément au Plan, exception faite de la politique 2.2.8, si les conditions suivantes sont réunies :

- a) la modification ajoute au moins 300 hectares à une zone de peuplement;
- b) l'autorité approbatrice a déjà approuvé la demande le 16 juin 2006;
- c) un avis d'appel est déposé dans les délais requis et n'est pas retiré.

(3) L'affaire à laquelle le paragraphe (1) ou (2) s'appliquerait par ailleurs est poursuivie et décidée comme si le Plan n'était pas entré en vigueur si une partie du bien-fonds qui serait ajouté à une zone de peuplement fait l'objet d'une demande, d'une affaire ou d'une procédure prescrite pour l'application du paragraphe 24 (3) de la *Loi de 2005 sur la ceinture de verdure*.

(4) Si l'affaire à laquelle le paragraphe (1) ou (2) s'applique est révisée le 16 juin 2006 ou après cette date, le même paragraphe continue à s'appliquer si la révision a pour effet :

- a) soit d'ajouter un bien-fonds de quelque superficie que ce soit à une zone de peuplement;
- b) soit de désigner une nouvelle zone de peuplement de quelque superficie que ce soit.

(5) Si l'affaire à laquelle le paragraphe (1) ou (2) s'appliquerait, si ce n'est que la superficie du bien-fonds à ajouter à une zone de peuplement est inférieure à 300 hectares, est révisée le 16 juin 2006 ou après cette date, l'affaire est poursuivie et décidée conformément au Plan si la révision a pour effet d'ajouter au moins 300 hectares à une zone de peuplement.

Initiatives municipales: plans officiels

5. (1) Le paragraphe (2) s'applique lorsqu'une municipalité introduit, selon le cas :

- a) un plan officiel;
- b) la modification de tout ou partie de son plan officiel;
- c) l'abrogation de tout ou partie de son plan officiel.

(2) L'affaire visée au paragraphe (1) qui est introduite avant le 16 juin 2006 et qui ajouterait au moins 300 hectares à une zone de peuplement est poursuivie et décidée conformément au Plan, exception faite de la politique 2.2.8.

(3) L'affaire à laquelle le paragraphe (2) s'appliquerait par ailleurs est poursuivie et décidée comme si le Plan n'était pas entré en vigueur si une partie du bien-fonds qui serait ajouté à une zone de peuplement fait l'objet d'une demande, d'une affaire ou d'une procédure prescrite pour l'application du paragraphe 24 (3) de la *Loi de 2005 sur la ceinture de verdure*.

(4) Si l'affaire à laquelle le paragraphe (2) s'applique est révisée le 16 juin 2006 ou après cette date, ce paragraphe continue à s'appliquer si la révision a pour effet :

- a) soit d'ajouter un bien-fonds de quelque superficie que ce soit à une zone de peuplement;
- b) soit de désigner une nouvelle zone de peuplement de quelque superficie que ce soit.

(5) Si l'affaire à laquelle le paragraphe (2) s'appliquerait, si ce n'est que la superficie du bien-fonds à ajouter à une zone de peuplement est inférieure à 300 hectares, est révisée le 16 juin 2006 ou après cette date, l'affaire est poursuivie et décidée conformément au Plan, si la révision a pour effet d'ajouter au moins 300 hectares à une zone de peuplement.

Entrée en vigueur

6. Le présent règlement entre en vigueur le 16 juin 2006.

Made by:
Pris par :

Le ministre du Renouvellement de l'infrastructure publique,

DAVID CAPLAN
Minister of Public Infrastructure Renewal

Date made: June 15, 2006.
Pris le : 15 juin 2006.

26/06

ONTARIO REGULATION 312/06

made under the

ONTARIO LOTTERY AND GAMING CORPORATION ACT, 1999

Made: June 14, 2006
Filed: June 16, 2006
Published on e-Laws: June 19, 2006
Printed in *The Ontario Gazette*: July 1, 2006

OPERATING EXPENSES OF THE CORPORATION

Definition

1. In subsections 14 (1) and (4) of the Act,

"operating expenses" includes all payments in respect of any indebtedness that the Corporation incurs for money that it borrows in accordance with the Act, including all unpaid principal, interest, fees, charges and other amounts payable by the Corporation under or in connection with the indebtedness, and regardless of how the Corporation uses the borrowed money.

26/06

ONTARIO REGULATION 313/06

made under the

TRAVEL INDUSTRY ACT, 2002

Made: June 14, 2006

Filed: June 16, 2006

Published on e-Laws: June 19, 2006

Printed in *The Ontario Gazette*: July 1, 2006Amending O. Reg. 26/05
(General)

Note: Ontario Regulation 26/05 has not previously been amended.

1. (1) Subsection 53 (1) of Ontario Regulation 26/05 is revoked and the following substituted:

- (1) A registrant shall make payments under this section to the administrative authority,
- (a) within 90 days after the end of the first half of the registrant's fiscal year; and
 - (b) within 90 days after the end of the second half of the registrant's fiscal year.

(2) Paragraph 2 of subsection 53 (2) of the Regulation is revoked and the following substituted:

2. The amount of,
- i. \$0.25 for every \$1,000 or part of \$1,000 of sales in Ontario during the preceding fiscal half-year, plus the applicable taxes, if the preceding fiscal half-year ends before April 1, 2006, or
 - ii. \$0.05 for every \$1,000 or part of \$1,000 of sales in Ontario during the preceding fiscal half-year, plus the applicable taxes, if the preceding fiscal half-year ends on or after April 1, 2006.

(3) Paragraph 2 of subsection 53 (3) of the Regulation is revoked and the following substituted:

2. The amount of,
- i. \$0.50 for every \$1,000 or part of \$1,000 of sales in Ontario during the preceding fiscal half-year, plus the applicable taxes, if the preceding fiscal half-year ends before April 1, 2006, or
 - ii. \$0.05 for every \$1,000 or part of \$1,000 of sales in Ontario during the preceding fiscal half-year, plus the applicable taxes, if the preceding fiscal half-year ends on or after April 1, 2006.

RÈGLEMENT DE L'ONTARIO 313/06

pris en application de la

LOI DE 2002 SUR LE SECTEUR DU VOYAGE

pris le 14 juin 2006

déposé le 16 juin 2006

publié sur le site Lois-en-ligne le 19 juin 2006

imprimé dans la *Gazette de l'Ontario* le 1^{er} juillet 2006modifiant le Règl. de l'Ont. 26/05
(Dispositions générales)

Remarque : Le Règlement de l'Ontario 26/05 n'a pas été modifié antérieurement.

1. (1) Le paragraphe 53 (1) du Règlement de l'Ontario 26/05 est abrogé et remplacé par ce qui suit :

- (1) La personne inscrite fait les paiements visés au présent article à l'organisme d'application :
- a) d'une part, dans les 90 jours de la fin du premier semestre de son exercice;
 - b) d'autre part, dans les 90 jours de la fin du deuxième semestre de son exercice.

(2) La disposition 2 du paragraphe 53 (2) du Règlement est abrogée et remplacée par ce qui suit :

2. La somme suivante :

- i. pour chaque tranche complète ou partielle de 1 000 \$ du chiffre d'affaires en Ontario du semestre d'exercice précédent, si celui-ci se termine avant le 1^{er} avril 2006, 0,25 \$ plus les taxes applicables,
- ii. pour chaque tranche complète ou partielle de 1 000 \$ du chiffre d'affaires en Ontario du semestre d'exercice précédent, si celui-ci se termine le 1^{er} avril 2006 ou par la suite, 0,05 \$ plus les taxes applicables.

(3) La disposition 2 du paragraphe 53 (3) du Règlement est abrogée et remplacée par ce qui suit :

2. La somme suivante :

- i. pour chaque tranche complète ou partielle de 1 000 \$ du chiffre d'affaires en Ontario du semestre d'exercice précédent, si celui-ci se termine avant le 1^{er} avril 2006, 0,50 \$ plus les taxes applicables,
- ii. pour chaque tranche complète ou partielle de 1 000 \$ du chiffre d'affaires en Ontario du semestre d'exercice précédent, si celui-ci se termine le 1^{er} avril 2006 ou par la suite, 0,05 \$ plus les taxes applicables.

26/06

ONTARIO REGULATION 314/06

made under the

HEALTH INSURANCE ACT

Made: June 14, 2006

Filed: June 16, 2006

Published on e-Laws: June 19, 2006

Printed in *The Ontario Gazette*: July 1, 2006

Amending Reg. 552 of R.R.O. 1990

(General)

Note: Regulation 552 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Subsection 10 (8) of Regulation 552 of the Revised Regulations of Ontario, 1990 is amended by striking out “February 28, 2000 and published by and available from the Ministry of Health” and substituting “May 9, 2006 and published by and available from the Ministry of Health and Long-Term Care”.

2. (1) Item 25 of Table 2 of the Regulation is amended by striking out “On or after July 1, 2004” in Column 1 and substituting “On or after July 1, 2004 but before August 1, 2006”.

(2) Table 2 of the Regulation is amended by adding the following items:

| | | | | |
|-----|--|--|---|--|
| 26. | On or after August 1, 2006 but before November 1, 2006 | Person with no dependants — maximum estimated income \$1,629.53 | Estimated income less \$116.00 | Estimated income less \$116.00, divided by 30.4167 |
| | | Person with one dependant — maximum aggregate estimated incomes \$7,887.00 | Aggregate estimated incomes less \$3,345.00, divided by 3 | Aggregate estimated incomes less \$3,345.00, divided by 91.2 |
| | | Person with two dependants — maximum aggregate estimated incomes \$8,366.00 | Aggregate estimated incomes less \$3,824.00, divided by 3 | Aggregate estimated incomes less \$3,824.00, divided by 91.2 |
| | | Person with three dependants — maximum aggregate estimated incomes \$8,802.00 | Aggregate estimated incomes less \$4,260.00, divided by 3 | Aggregate estimated incomes less \$4,260.00, divided by 91.2 |
| | | Person with four or more dependants — maximum aggregate estimated incomes \$9,192.00 | Aggregate estimated incomes less \$4,650.00, divided by 3 | Aggregate estimated incomes less \$4,650.00, divided by 91.2 |
| | | Person not referred to elsewhere in this item | \$1,513.53 | \$49.76 |

| | | | | |
|-----|------------------------------|--|---|--|
| 27. | On or after November 1, 2006 | Person with no dependants — maximum estimated income \$1,632.53 | Estimated income less \$119.00 | Estimated income less \$119.00, divided by 30.4167 |
| | | Person with one dependant — maximum aggregate estimated incomes \$7,887.00 | Aggregate estimated incomes less \$3,345.00, divided by 3 | Aggregate estimated incomes less \$3,345.00, divided by 91.2 |
| | | Person with two dependants — maximum aggregate estimated incomes \$8,366.00 | Aggregate estimated incomes less \$3,824.00, divided by 3 | Aggregate estimated incomes less \$3,824.00, divided by 91.2 |
| | | Person with three dependants — maximum aggregate estimated incomes \$8,802.00 | Aggregate estimated incomes less \$4,260.00, divided by 3 | Aggregate estimated incomes less \$4,260.00, divided by 91.2 |
| | | Person with four or more dependants — maximum aggregate estimated incomes \$9,192.00 | Aggregate estimated incomes less \$4,650.00, divided by 3 | Aggregate estimated incomes less \$4,650.00, divided by 91.2 |
| | | Person not referred to elsewhere in this item | \$1,513.53 | \$49.76 |

3. This Regulation comes into force on August 1, 2006.

26/06

ONTARIO REGULATION 315/06

made under the

CHARITABLE INSTITUTIONS ACT

Made: June 14, 2006

Filed: June 16, 2006

Published on e-Laws: June 19, 2006

Printed in *The Ontario Gazette*: July 1, 2006

Amending Reg. 69 of R.R.O. 1990
(General)

Note: Regulation 69 has previously been amended. Those amendments are listed in the [Table of Regulations – Legislative History Overview](#) which can be found at www.e-Laws.gov.on.ca.

1. Clause 4 (e) of Regulation 69 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

(e) the requirements of Ontario Regulation 403/97 (Building Code) made under the *Building Code Act, 1992*; and

2. Clause 6 (1) (a) of the Regulation is revoked and the following substituted:

(a) all fire hazards in the institution are eliminated, the institution is inspected at least once a year by an inspector authorized to inspect buildings under the *Fire Protection and Prevention Act, 1997* and the recommendations of the inspector are carried out;

3. Section 7 of the Regulation is amended by striking out “*Building Code Act*” and substituting “*Building Code Act, 1992*”.

4. Subsection 33 (1) of the Regulation is amended by striking out “*Credit Unions and Caisses Populaires Act*” and substituting “*Credit Unions and Caisses Populaires Act, 1994* or a predecessor of it”.

5. (1) Paragraph 2 of subsection 43 (3) of the Regulation is revoked and the following substituted:

2. One of the following amounts, as the case may be:

- i. In the case of an application for a reduction made on or after July 1, 2003 but before August 1, 2006, \$963.16.
- ii. In the case of an application for a reduction made on or after August 1, 2006, \$984.59.

(2) Paragraph 2 of subsection 43 (4) of the Regulation is revoked and the following substituted:

2. One of the following amounts, as the case may be:

- i. In the case of an application for a reduction made on or after July 1, 2003 but before August 1, 2006, \$31.67.
- ii. In the case of an application for a reduction made on or after August 1, 2006, \$32.37.

(3) Clause 43 (5) (a) of the Regulation is revoked and the following substituted:

- (a) the first June 30 following the day on which the period begins, except if the resident submits the application to the administrator of the home on or after July 1, 2005 but before July 31, 2006;
- (a.1) July 31, 2006, if the resident submits the application to the administrator of the home on or after July 1, 2005 but before July 31, 2006; and

6. (1) Paragraph 1 of subsection 43.1 (1) of the Regulation is revoked and the following substituted:

- 1. A long-stay resident for whom the maximum monthly amount is determined to be \$984.59 under section 43.

(2) Clause 43.1 (6) (a) of the Regulation is revoked and the following substituted:

- (a) the first June 30 following the day on which the period begins, except if the exceptional circumstances application is submitted to the Director on or after July 1, 2005 but before July 31, 2006;
- (a.1) July 31, 2006, if the exceptional circumstances application is submitted to the Director on or after July 1, 2005 but before July 31, 2006;

7. (1) Item 11 of Table 4 of the Regulation is amended by adding "to and including July 31, 2006" after "July 1, 2003" in Column 1.

(2) Table 4 of the Regulation is amended by adding the following item:

| | | | | | | | | |
|-----|-----------------------------------|-------|----------|-------|----------|-------|----------|-------|
| 12. | From and including August 1, 2006 | 32.37 | 1,513.53 | 49.76 | 1,756.87 | 57.76 | 2,061.04 | 67.76 |
|-----|-----------------------------------|-------|----------|-------|----------|-------|----------|-------|

8. (1) Subject to subsection (2), this Regulation comes into force on the day it is filed.

(2) Sections 5, 6 and 7 come into force on August 1, 2006.

26/06

ONTARIO REGULATION 316/06

made under the

HOMES FOR THE AGED AND REST HOMES ACT

Made: June 14, 2006

Filed: June 16, 2006

Published on e-Laws: June 19, 2006

Printed in *The Ontario Gazette*: July 1, 2006

Amending Reg. 637 of R.R.O. 1990
(General)

Note: Regulation 637 has previously been amended. Those amendments are listed in the [Table of Regulations – Legislative History Overview](#) which can be found at www.e-Laws.gov.on.ca.

1. (1) Paragraph 2 of subsection 39.3 (3) of Regulation 637 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

2. One of the following amounts, as the case may be:

- i. In the case of an application for a reduction made on or after July 1, 2003 but before August 1, 2006, \$963.16.
- ii. In the case of an application for a reduction made on or after August 1, 2006, \$984.59.

(2) Paragraph 2 of subsection 39.3 (4) of the Regulation is revoked and the following substituted:

2. One of the following amounts, as the case may be:

- i. In the case of an application for a reduction made on or after July 1, 2003 but before August 1, 2006, \$31.67.
- ii. In the case of an application for a reduction made on or after August 1, 2006, \$32.37.

(3) Clause 39.3 (5) (a) of the Regulation is revoked and the following substituted:

- (a) the first June 30 following the day on which the period begins, except if the resident submits the application to the administrator of the home on or after July 1, 2005 but before July 31, 2006;
- (a.1) July 31, 2006, if the resident submits the application to the administrator of the home on or after July 1, 2005 but before July 31, 2006; and

2. (1) Paragraph 1 of subsection 39.3.1 (1) of the Regulation is revoked and the following substituted:

- 1. A long-stay resident for whom the maximum monthly amount is determined to be \$984.59 under section 39.3.

(2) Clause 39.3.1 (6) (a) of the Regulation is revoked and the following substituted:

- (a) the first June 30 following the day on which the period begins, except if the exceptional circumstances application is submitted to the Director on or after July 1, 2005 but before July 31, 2006;
- (a.1) July 31, 2006, if the exceptional circumstances application is submitted to the Director on or after July 1, 2005 but before July 31, 2006;

3. (1) Item 11 of Table 3 of the Regulation is amended by adding "to and including July 31, 2006" after "July 1, 2003" in Column 1.

(2) Table 3 of the Regulation is amended by adding the following item:

| | | | | | | | | |
|-----|-----------------------------------|-------|----------|-------|----------|-------|----------|-------|
| 12. | From and including August 1, 2006 | 32.37 | 1,513.53 | 49.76 | 1,756.87 | 57.76 | 2,061.04 | 67.76 |
|-----|-----------------------------------|-------|----------|-------|----------|-------|----------|-------|

4. This Regulation comes into force on August 1, 2006.

26/06

ONTARIO REGULATION 317/06

made under the

NURSING HOMES ACT

Made: June 14, 2006

Filed: June 16, 2006

Published on e-Laws: June 19, 2006

Printed in *The Ontario Gazette*: July 1, 2006

Amending Reg. 832 of R.R.O. 1990
(General)

Note: Regulation 832 has previously been amended. Those amendments are listed in the [Table of Regulations – Legislative History Overview](#) which can be found at www.e-Laws.gov.on.ca.

1. (1) Paragraph 2 of subsection 116 (3) of Regulation 832 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

2. One of the following amounts, as the case may be:

- i. In the case of an application for a reduction made on or after July 1, 2003 but before August 1, 2006, \$963.16.
- ii. In the case of an application for a reduction made on or after August 1, 2006, \$984.59.

(2) Paragraph 2 of subsection 116 (4) of the Regulation is revoked and the following substituted:

2. One of the following amounts, as the case may be:

- i. In the case of an application for a reduction made on or after July 1, 2003 but before August 1, 2006, \$31.67.

ii. In the case of an application for a reduction made on or after August 1, 2006, \$32.37.

(3) Clause 116 (5) (a) of the Regulation is revoked and the following substituted:

(a) the first June 30 following the day on which the period begins, except if the resident submits the application to the administrator of the home on or after July 1, 2005 but before July 31, 2006;

(a.1) July 31, 2006, if the resident submits the application to the administrator of the home on or after July 1, 2005 but before July 31, 2006; and

2. (1) Paragraph 1 of subsection 116.1 (1) of the Regulation is revoked and the following substituted:

1. A long-stay resident for whom the maximum monthly amount is determined to be \$984.59 under section 116.

(2) Clause 116.1 (6) (a) of the Regulation is revoked and the following substituted:

(a) the first June 30 following the day on which the period begins, except if the exceptional circumstances application is submitted to the Director on or after July 1, 2005 but before July 31, 2006;

(a.1) July 31, 2006, if the exceptional circumstances application is submitted to the Director on or after July 1, 2005 but before July 31, 2006;

3. (1) Item 11 of Table 3 of the Regulation is amended by adding "to and including July 31, 2006" after "July 1, 2003" in Column 1.

(2) Table 3 of the Regulation is amended by adding the following item:

| | | | | | | | | |
|-----|-----------------------------------|-------|----------|-------|----------|-------|----------|-------|
| 12. | From and including August 1, 2006 | 32.37 | 1,513.53 | 49.76 | 1,756.87 | 57.76 | 2,061.04 | 67.76 |
|-----|-----------------------------------|-------|----------|-------|----------|-------|----------|-------|

4. This Regulation comes into force on August 1, 2006.

26/06

ONTARIO REGULATION 318/06

made under the

HEALTH INSURANCE ACT

Made: June 14, 2006

Filed: June 16, 2006

Published on e-Laws: June 19, 2006

Printed in *The Ontario Gazette*: July 1, 2006

Amending Reg. 552 of R.R.O. 1990
(General)

Note: Regulation 552 has previously been amended. Those amendments are listed in the [Table of Regulations – Legislative History Overview](#) which can be found at www.e-Laws.gov.on.ca.

1. The definition of "schedule of benefits" in subsection 1 (1) of Regulation 552 of the Revised Regulations of Ontario, 1990 is amended by adding the following paragraph:

2. Amendments dated July 1, 2006;

2. (1) Section 37.1 of the Regulation is amended by adding the following subsection:

(2.4) Despite subsection (2), the amount payable for those services rendered to an insured person on or after April 1, 2004 and no later than March 31, 2006 that are set out in the section of the General Preamble of the schedule of benefits entitled "Emergency Department Sessional Fees" is increased by 2.5 per cent.

(2) Section 37.1 of the Regulation is amended by adding the following subsection:

(2.5) Despite subsection (2), the amount payable for the following services rendered on or after October 1, 2005, as those services are defined in the schedule of benefits as it read on April 1, 2006, is the fee payable under that version of the schedule of benefits:

1. Subsequent visit by the most responsible physician - second day following the hospital admission assessment (C123).
2. Subsequent visit by the most responsible physician - day following the hospital admission assessment (C122).

(3) Section 37.1 of the Regulation is amended by adding the following subsections:

(2.6) Despite subsection (2), the amount payable for the following services rendered on or after July 1, 2006 to an insured person who falls into the age group described in Column 2 of the following Table is increased by the percentage specified in Column 3 opposite the age group:

1. A consultation, limited consultation or repeat consultation rendered by a specialist, as those services are defined in the schedule of benefits.
2. A surgical procedure listed in Parts K to Z inclusive of the schedule of benefits.
3. Basic and time unit surgical assistant services listed in Parts K to Z inclusive of the schedule of benefits.

TABLE

| Column 1 | Column 2 | Column 3 |
|----------|--|---------------------|
| Item | Age Group | Percentage Increase |
| 1. | Less than 30 days of age | 30% |
| 2. | At least 30 days but less than one year of age | 25% |
| 3. | At least one year but less than two years of age | 20% |
| 4. | At least two years but less than five years of age | 15% |
| 5. | At least five years but less than 16 years of age | 10% |

(2.7) Despite subsection (2), the amount payable for the following services rendered on or after July 1, 2006 to an insured person who is at least 70 years of age, as those services are defined in the schedule of benefits, is increased by 15 per cent:

1. A general assessment (A003, A903, C003, W102, W109 or W903).
2. An intermediate assessment (A007).
3. Subsection 38.0.0.1 (6) of the Regulation is revoked.
4. (1) Subject to subsections (2) to (5), this Regulation comes into force on the day it is filed.
- (2) Subsection 2 (1) is deemed to have come into force on April 1, 2004.
- (3) Subsection 2 (2) is deemed to have come into force on October 1, 2005.
- (4) Section 3 is deemed to have come into force on January 1, 2006.
- (5) Section 1 and subsection 2 (3) come into force on July 1, 2006.

26/06

ONTARIO REGULATION 319/06

made under the

FISH AND WILDLIFE CONSERVATION ACT, 1997

Made: June 5, 2006

Filed: June 16, 2006

Published on e-Laws: June 19, 2006

Printed in *The Ontario Gazette*: July 1, 2006

Amending O. Reg. 670/98
(Open Seasons — Wildlife)

Note: Ontario Regulation 670/98 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. (1) Items 9, 11.1, 15, 15.1, 15.2, 16, 18, 25 and 27 of Table 5 of Ontario Regulation 670/98 are revoked and the following substituted:

| Item | Column 1 | Column 2 | Column 3 | Column 4 |
|------|---|--|--|------------------|
| | Area (Nos. refer to WMUs unless otherwise stated) | Open Season — Residents | Open Season — Non—Residents | Class of Firearm |
| 9. | 45 | From the Saturday 30 days prior to the first Monday in November to the Friday preceding the first Monday in November, in any year. AND: From the third Monday in November to the second Saturday following, in any year. | From the Saturday 30 days prior to the first Monday in November to the Friday preceding the first Monday in November, in any year. AND: From the third Monday in November to the second Saturday following, in any year. | 1 |

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| Item | Column 1 | Column 2 | Column 3 | Column 4 |
|------|---|---|---|------------------|
| | Area (Nos. refer to WMUs unless otherwise stated) | Open Season — Residents | Open Season — Non—Residents | Class of Firearm |
| 11.1 | 53B | From October 15 to the Sunday immediately prior to the first Monday in November, in any year. AND: From the Saturday next following the first Monday in November to November 30, in any year. | From October 15 to the Sunday immediately prior to the first Monday in November, in any year. AND: From the Saturday next following the first Monday in November to November 30, in any year. | 1 |

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| Item | Column 1 | Column 2 | Column 3 | Column 4 |
|------|---|--|--|------------------|
| | Area (Nos. refer to WMUs unless otherwise stated) | Open Season — Residents | Open Season — Non—Residents | Class of Firearm |
| 15. | 60 | From October 15 to the Sunday immediately prior to the first Monday in November, in any year. AND: From the third Monday in November to December 15, in any year. | From October 15 to the Sunday immediately prior to the first Monday in November, in any year. AND: From the third Monday in November to December 15, in any year. | 1 |
| 15.1 | 61, 62, 63A | From October 15 to the Sunday immediately prior to the first Monday in November, in any year. AND: From the third Monday in November to the Sunday immediately prior to the Monday next following November 28. AND: From the second Monday next following November 28 to December 15, in any year. | From October 15 to the Sunday immediately prior to the first Monday in November, in any year. AND: From the third Monday in November to the Sunday immediately prior to the Monday next following November 28. AND: From the second Monday next following November 28 to December 15, in any year. | 1 |
| 15.2 | 63B, 68A, 68B | From October 1 to the Sunday immediately prior to the first Monday in November, in any year. AND: From the third Monday in November to the Sunday immediately prior to the Monday next following November 28. AND: From the second Monday next following November 28 to December 31 in any year. | From October 1 to the Sunday immediately prior to the first Monday in November, in any year. AND: From the third Monday in November to the Sunday immediately prior to the Monday next following November 28. AND: From the second Monday next following November 28 to December 31 in any year. | 1 |

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| Item | Column 1 | Column 2 | Column 3 | Column 4 |
|------|---|---|---|------------------|
| | Area (Nos. refer to WMUs unless otherwise stated) | Open Season — Residents | Open Season — Non—Residents | Class of Firearm |
| 16. | 66A, 69B | From October 1 to the Sunday immediately prior to the first Monday in November, in any year. AND: From the third Monday in November to the Sunday immediately prior to the Monday next following November 28. AND: From the second Monday next following November 28 to December 31, in any year. | From October 1 to the Sunday immediately prior to the first Monday in November, in any year. AND: From the third Monday in November to the Sunday immediately prior to the Monday next following November 28. AND: From the second Monday next following November 28 to December 31, in any year. | 1 |

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| Item | Column 1 | Column 2 | Column 3 | Column 4 |
|------|---|--|-----------------------------|------------------|
| | Area (Nos. refer to WMUs unless otherwise stated) | Open Season — Residents | Open Season — Non—Residents | Class of Firearm |
| 25. | 78A, 78B | From October 1 to the Sunday immediately prior to the first Monday in November, in any year. AND: From the Saturday next following the first Monday in November to the fourth Sunday following, in any year. AND: From the Saturday next following the Monday immediately following November 28 to December 31, in any year. | Closed season | 1 |

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| Item | Column 1 | Column 2 | Column 3 | Column 4 |
|------|---|--|-----------------------------|------------------|
| | Area (Nos. refer to WMUs unless otherwise stated) | Open Season — Residents | Open Season — Non—Residents | Class of Firearm |
| 27. | 79C, 79D | From October 1 to the Sunday immediately prior to the first Monday in November, in any year. AND: From the Saturday next following the first Monday in November to December 31, in any year. | Closed season | 1 |

(2) Table 5 of the Regulation is amended by adding the following item:

| Item | Column 1 | Column 2 | Column 3 | Column 4 |
|------|---|---|-----------------------------|------------------|
| | Area (Nos. refer to WMUs unless otherwise stated) | Open Season — Residents | Open Season — Non—Residents | Class of Firearm |
| 28. | 82A, 84 | From October 1 to the Sunday immediately prior to the first Monday in November, in any year. AND: From the Sunday next following the first Monday in November to the Sunday immediately prior to the Monday immediately following November 28, in any year. AND: From the Sunday next following the Monday immediately following November 28 to December 31, in any year. | Closed season | 1 |

(3) Items 29, 31, 43.1.1 and 43.1.2 of Table 5 of the Regulation are revoked and the following substituted:

| Item | Column 1 | Column 2 | Column 3 | Column 4 |
|------|---|--|-----------------------------|------------------|
| | Area (Nos. refer to WMUs unless otherwise stated) | Open Season — Residents | Open Season — Non—Residents | Class of Firearm |
| 29. | 82B | From October 1 to the Sunday immediately prior to the first Monday in November, in any year. AND: From the Sunday next following the first Monday in November to the Sunday immediately prior to the third Monday in November, in any year. AND: From the Sunday next following the third Monday in November to the Sunday immediately prior to the Monday immediately following November 28, in any year. AND: From the Sunday next following the first Monday immediately following November 28 to December 31, in any year. | Closed season | 1 |

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| Item | Column 1 | Column 2 | Column 3 | Column 4 |
|------|---|---|-----------------------------|------------------|
| | Area (Nos. refer to WMUs unless otherwise stated) | Open Season — Residents | Open Season — Non—Residents | Class of Firearm |
| 31. | 83A | From October 1 to the Sunday immediately prior to the first Monday in November, in any year. AND: From the Sunday next following the first Monday in November to the Sunday immediately prior to the Monday immediately following November 28, in any year. AND: From the Sunday next following the Monday immediately following November 28 to December 31, in any year. | Closed season | 1 |

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| Item | Column 1 | Column 2 | Column 3 | Column 4 |
|--------|--|---|---|------------------|
| | Area (Nos. refer to WMUs unless otherwise stated) | Open Season — Residents | Open Season — Non—Residents | Class of Firearm |
| 43.1.1 | 43A, 43B, 82A, 83A, 84 | From the Monday next following November 28 to the Saturday next following, in any year. | From the Monday next following November 28 to the Saturday next following, in any year. | 2 |
| 43.1.2 | 61, 62, 63A, 63B, 64A, 64B, 65, 66A, 67, 68A, 68B, 69B, 71, 72A, 73, 74A, 75 | From the Monday next following November 28 to the Sunday next following, in any year. | From the Monday next following November 28 to the Sunday next following, in any year. | 2 |

(4) Table 5 of the Regulation is amended by adding the following item:

| Item | Column 1 | Column 2 | Column 3 | Column 4 |
|------|---|---|---|------------------|
| | Area (Nos. refer to WMUs unless otherwise stated) | Open Season — Residents | Open Season — Non—Residents | Class of Firearm |
| 43.3 | 82B | From the third Monday in November to the Saturday next following, in any year. AND: From the Monday next following November 28 to the Saturday next following, in any year. | From the third Monday in November to the Saturday next following, in any year. AND: From the Monday next following November 28 to the Saturday next following, in any year. | 2 |

(5) Item 45 of Table 5 of the Regulation is revoked and the following substituted:

| Item | Column 1 | Column 2 | Column 3 | Column 4 |
|------|---|--|--|------------------|
| | Area (Nos. refer to WMUs unless otherwise stated) | Open Season — Residents | Open Season — Non—Residents | Class of Firearm |
| 45. | 69B | From the first Monday in November to the second following Sunday, in any year. | From the first Monday in November to the second following Sunday, in any year. | 3 |

(6) Items 51, 52, 74, 75 and 76 of Table 5 of the Regulation are revoked and the following substituted:

| Item | Column 1 | Column 2 | Column 3 | Column 4 |
|------|---|---|---|------------------|
| | Area (Nos. refer to WMUs unless otherwise stated) | Open Season — Residents | Open Season — Non—Residents | Class of Firearm |
| 74. | 45 | From the Saturday prior to the second Monday in November to the Friday next following, in any year. | From the Saturday prior to the second Monday in November to the Friday next following, in any year. | 7 |
| 75. | 66A | From the first Monday in November to the second following Sunday, in any year. | From the first Monday in November to the second following Sunday, in any year. | 7 |
| 76. | 82A, 82B, 83A, 84 | From the first Monday in November to the Saturday next following, in any year. | From the first Monday in November to the Saturday next following, in any year. | 7 |

2. (1) Table 8 of the Regulation is amended by adding the following items:

| Item | Column 1 | Column 2 | Column 3 | Column 4 |
|---------|---|---|-----------------------------|------------------|
| | Area (Nos. refer to WMUs unless otherwise stated) | Open Season — Residents | Open Season — Non—Residents | Class of Firearm |
| 1.0.0.1 | 11B | From the Saturday closest to September 17 to the third Friday following, in any year. | Closed season | 1 |

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| Item | Column 1 | Column 2 | Column 3 | Column 4 |
|------|---|---|-----------------------------|------------------|
| | Area (Nos. refer to WMUs unless otherwise stated) | Open Season — Residents | Open Season — Non—Residents | Class of Firearm |
| 2.2 | 11B | From the Saturday closest to September 17 to the third Friday following, in any year. | Closed season | 4 |

(2) Items 3, 5 and 7 of Table 8 of the Regulation are revoked and the following substituted:

| Item | Column 1 | Column 2 | Column 3 | Column 4 |
|------|---|--|--|------------------|
| | Area (Nos. refer to WMUs unless otherwise stated) | Open Season — Residents | Open Season — Non—Residents | Class of Firearm |
| 3. | 1A, 1C, 1D, 16A, 16B, 16C, 17, 25 | From the Saturday closest to September 17 to December 15, in any year. | From the Monday next following the Saturday closest to September 17 to November 15, in any year. | 7 |

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| Item | Column 1 | Column 2 | Column 3 | Column 4 |
|------|---|---|---|------------------|
| | Area (Nos. refer to WMUs unless otherwise stated) | Open Season — Residents | Open Season — Non—Residents | Class of Firearm |
| 7. | 26 | From the Saturday closest to September 17 to October 31, in any year. | From the Monday next following the Saturday closest to September 17 to October 31, in any year. | 7 |

3. This Regulation comes into force on September 2, 2006.

Made by:

DAVID JAMES RAMSAY
Minister of Natural Resources

Date made: June 5, 2006.

26/06

ONTARIO REGULATION 320/06

made under the

FISH AND WILDLIFE CONSERVATION ACT, 1997

Made: June 14, 2006
Filed: June 16, 2006
Published on e-Laws: June 19, 2006
Printed in *The Ontario Gazette*: July 1, 2006

Amending O. Reg. 665/98
(Hunting)

Note: Ontario Regulation 665/98 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Subsections 55 (1), (3) and (4) of Ontario Regulation 665/98 are revoked and the following substituted:

(1) The holder of a resident licence to hunt moose shall not hunt moose in the area, during the open season and using the class of firearm specified in item 1.1 and 2.2 of Table 8 of Ontario Regulation 670/98 (Open Seasons — Wildlife) made under the Act unless the licence holder bears a permission provided by the Ministry permitting the holder to hunt moose of a specified age and sex under specified conditions.

(3) An assistant who bears a permission shall not hunt or use a firearm to hunt moose unless the assistant,

(a) holds a partner permit issued under clause 52.1 (1) (b); or

(b) is retrieving moose shot by the person whose mobility is impaired.

(4) A person who bears a permission to hunt moose in the area and during the open season specified in item 1.1 of Table 8 of Ontario Regulation 670/98 (Open Seasons — Wildlife) made under the Act shall complete the questionnaire provided with the permission and return it to the office of the Ministry specified in the questionnaire before the fourth Friday in October.

2. The Table to section 69 of the Regulation is revoked and the following substituted:

TABLE

| Column 1 | Column 2 | Column 3 |
|-------------|------------------|---|
| Species | Class of Firearm | Content of Class |
| Moose, Deer | Class 1 | Bow |
| Moose, Deer | Class 2 | Bow, or flint-lock or percussion cap muzzle-loading gun |
| Deer | Class 3 | Bow, shotgun, or flint-lock or percussion cap muzzle-loading gun |
| Moose, Deer | Class 4 | Rifle, shotgun, or flint-lock or percussion cap muzzle-loading gun |
| Deer | Class 5 | Flint-lock or percussion cap muzzle-loading gun |
| Deer | Class 6 | Shotgun, or flint-lock or percussion cap muzzle-loading gun |
| Moose, Deer | Class 7 | Bow, rifle, shotgun, or flint-lock or percussion cap muzzle-loading gun |

3. Subparagraph 1 ii of subsection 86 (1) of the Regulation is revoked and the following substituted:

ii. Items 29, 39, 40, 42, 43, 43.1.1, 43.1.2, 43.2, 43.3, 45, 47, 65, 67, 68, 72, 73, 74, 76 and 79.

4. This Regulation comes into force on September 2, 2006.

26/06

ONTARIO REGULATION 321/06

made under the

ENDANGERED SPECIES ACT

Made: June 14, 2006

Filed: June 16, 2006

Published on e-Laws: June 19, 2006

Printed in *The Ontario Gazette*: July 1, 2006

Amending Reg. 328 of R.R.O. 1990

(Endangered Species)

Note: Regulation 328 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. Items 3 and 4 of Schedule 1 to Regulation 328 of the Revised Regulations of Ontario, 1990 are revoked and the following substituted:

3. *Haliaeetus leucocephalus alascanus* Townsend commonly known as Bald Eagle in the following geographic areas as these areas are described in Ontario Regulation 180/03 (Division of Ontario into Geographic Areas) made under the *Territorial Division Act, 2002*:

- i. Brant, Bruce, Chatham-Kent, Dufferin, Durham, Elgin, Essex, Frontenac, Grey, Haldimand, Haliburton, Halton, Hamilton, Hastings, Huron, Kawartha Lakes, Lambton, Lanark, Leeds and Grenville, Lennox and Addington, Middlesex, Muskoka, Niagara, Nipissing (south of the Mattawa River), Norfolk, Northumberland, Ottawa, Oxford, Parry Sound, Peel, Perth, Peterborough, Prescott and Russell, Prince Edward, Renfrew, Simcoe, Stormont, Dundas and Glengarry, Toronto, Waterloo, Wellington and York.

26/06

NOTE: The Table of Regulations – Legislative History Overview and other tables related to regulations can be found at the e-Laws website (www.e-Laws.gov.on.ca) under Tables. Consolidated regulations may also be found at that site by clicking on Statutes and associated Regulations under Consolidated Law.

REMARQUE : On trouve le Sommaire de l'historique législatif des règlements et d'autres tables liées aux règlements sur le site Web Lois-en-ligne (www.lois-en-ligne.gouv.on.ca) en cliquant sur «Tables». On y trouve également les règlements codifiés en cliquant sur le lien Lois et règlements d'application sous la rubrique «Textes législatifs codifiés».



